

Washington, Tuesday, September 1, 1964

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Volume 77

UNITED STATES STATUTES AT LARGE

[88th Cong., 1st Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1963, reorganization plan, and Presidential proclamations. Included is a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

Price: \$7.50

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Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

This checklist, arranged in order of titles, shows the issuance date and price of current volumes and pocket supplements of the Code of Federal Regulations. The rate for subscription service to all revised volumes and pocket supplements issued as of January 1, 1964, is \$100 domestic, \$30 additional for foreign mailing. The subscription price for revised volumes and pocket supplements issued as of January 1, 1965, will be at the same rate. Order from Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

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PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Securities and Exchange Commission

Section 213.3130 is amended to correct a typographical error in the title of the Director, Division of Corporate by producers of wheat pursuant to the Regulation, and to revoke authority for Agricultural Adjustment Act of 1938, as

the exception of one position of Regional Administrator. Effective upon publication in the FEDERAL REGISTER, paragraphs (a) and (b) of § 213.3130 are amended as set out below.

§ 213.3130 Securities and Exchange Commission.

(a) Director, Division of Corporation Finance; Director, Division of Corporate Regulation; Director, Division of Trading and Markets.

(b) Nine positions of Regional Administrator.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERV-ICE COMMISSION, [SEAL] MARY V. WENZEL. Executive Assistant to the Commissioners.

[F.R. Doc. 64-8858; Filed, Aug. 31, 1964; 8:48 a.m.]

Title 7—AGRICULTURE

Subtitle A-Office of the Secretary of Agriculture

[Amdt. 14]

PART 5-DETERMINATION OF **PARITY PRICES**

Wheat Marketing Certificates

The regulations of the Secretary of Agriculture with respect to the determination of parity prices (21 F.R. 761, as amended; 7 CFR 5.1-5.6) are amended as hereinafter specified in order to provide that the value of marketing certificates received by wheat producers pursuant to the Agricultural Adjustment Act of 1938, as amended, and other similar certificates shall be treated as supplemental payments resulting from price support operations.

Section 5.3 is amended to read as fol-

§ 5.3 Selection of calendar year price

In computing the adjusted base price for those commodities for which calendar year price data are used, "* * the average of the prices received by farmers for such commodity, at such times as the Secretary may select during each year * * *," as used in section 301(a)(1)(B) (i), shall be the simple average of the 12 monthly estimates of the prices received by farmers as published by the Statistical Reporting Service in "Agricultural Prices" for those commodities for which such prices are available. An allowance for unredeemed loans and purchase agreement deliveries, any supplemental payments resulting from price support operations, and the value of marketing certificates, such as those received

amended, and others of generally similar character and effect, shall be added to the price specified above. Prices received for milk wholesale, milkfat, beef cattle, sheep, and lambs shall include wartime subsidy payments as provided by section 301(a) (1) (B). For Maryland Tobacco, type 32, the price data for each calendar year shall be the weighted average price of type 32 tobacco sold during the period January 1-December 31.

(Sec. 301, 52 Stat. 38, as amended; 7 U.S.C. 1301)

Done at Washington, D.C., this 26th day of August 1964.

CHARLES S. MURPHY,
Acting Secretary of Agriculture.

[F.R. Doc. 64-8847; Filed, Aug. 31, 1964; 8:47 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 817, Amdt. 1]

PART 817—REQUIREMENTS RELAT-ING TO BRINGING OR IMPORTING SUGAR OR LIQUID SUGAR INTO CONTINENTAL UNITED STATES

Applications for Set-Aside of Quota Applicable to Direct-Consumption Portion of Philippine Quota

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act". The purpose of this amendment is to provide for the set-aside of that portion of the Philippine statutory quota which may be filled by direct-consumption sugar.

The Sugar Act provides for the Republic of the Philippines a statutory quota of 1,050,000 short tons, raw value of which 56,000 short tons (59,920 short tons, raw value) may be filled by direct-consumption sugar. Under the current regulation, Philippine raw sugar for further processing and direct-consumption sugar have always been charged to the quota first-come, first-served, on the basis of applications on Form SU-3 for the release of sugar. Thus, the Philippine statutory quota could be filled with sugar for further processing to such an extent as to preclude the importation of the full quantity of direct-consumption sugar permitted by the Act.

The Sugar Quota Administration of the Republic of the Philippines has requested that the Department provide a means for reserving sufficient statutory quota to assure importers the opportunity of importing the full direct-consumption portion of that quota. The Philippine Government has assured the Department that such action would not interfere with any established rights to enter Philippine sugar within the quota. While this amendment does not reserve the entire direct-consumption portion of

the Philippine statutory quota, it does provide that such quota may be reserved for the importation of direct-consumption sugar, when such sugar is covered by an approved application for set-aside.

To minimize the possibility of precluding the importation of Philippine sugar equal to the full statutory quota, liquidated damages of 0.5 cent a pound have been provided for, to apply against any sugar covered by set-aside agreements which is not subsequently imported.

Effective date. It is important that this amendment be made effective at the earliest possible date to afford importers the opportunity to submit set-aside agreements provided for in this amendment before the entire balance of the Philippine statutory quota has been authorized for release. Therefore, it is hereby determined and found that compliance with the notice procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impractical and contrary to the public interest, and the amendment herein shall become effective when filed for public inspection in the Office of the Federal Register.

By virtue of the authority vested in the Secretary of Agriculture by the Act (61 Stat. 932), paragraph (e) of § 817.4 is hereby amended by adding subparagraph (3) to read as follows:

§ 817.4 Application by importer.

(e) * * * *

(3) Regardless of whether an import fee is or is not in effect pursuant to Sec. 213 of the Act, applications for set-aside of the direct-consumption portion of the statutory quota for the Republic of the Philippines for the importation of a specified quantity of sugar may be made to the Sugar Quota Group and approved as provided for in this subparagraph (3). Any such application for set-aside of quota shall be in the form of a Quota Set-Aside Application and Agreement (Form SU-8) as-set forth in subparagraph (2) of this paragraph by changing the first paragraph of such form to read as follows:

(Name of applicant)

(Street address) (City) (State) hereby certify that as owner, or as agent or broker for the owner, I have under my sole control _____ short tons (commercial weight) of sugar in the Republic of the Philippines, and I hereby make application under the provisions of § 817.4(e) (3) of Sugar Regulation 817 for the set-aside of ____ short tons (commercial weight) of the direct-consumption portion of the quota for that country as established in § 811.___ of Sugar Regulation 811.

The submission of such application does not relieve the applicant of the necessity of submitting an application for authorization for release of sugar as required under paragraph (a) of this section. Any application for set-aside of quota submitted pursuant to this subparagraph (3) may be approved by the Secretary, not more than 95 days before the departure date and not more than 140 days prior to the importation date into the

continental United States stated in the Set-Aside Application and Agreement. During the period from the date of approval of a Quota Set-Aside Application and Agreement to the date of importation stated therein, both dates inclusive, and subject to the terms and conditions of such Application and Agreement, the quota designated in the application shall be set aside to the extent of the quantity of sugar approved for quota set-aside under such Application and Agreement.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153. Interprets or applies secs. 101, 202, 211, 212; 61 Stat. 922, as amended, 924, as amended, 928, as amended, 929, as amended, sec. 213 as added by Public Law 87-535, Public Law 87-539; 7 U.S.C. 1101, 1112, 1121, 1122)

Issued at Washington, D.C., this 28th (day of August 1964.

CHARLES S. MURPHY, Acting Secretary.

[F.R. Doc. 64-8914; Filed, Aug. 28, 1964; 4:15 p.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 925—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREGON

Determination Relative to Expenses and Fixing of Rate of Assessment for 1964–65 Fiscal Period

Notice was published in the August 11, 1964, issue of the Federal Register (29 F.R. 11501) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal period ending June 30, 1965, under the marketing agreement and Order No. 925 (7 CFR Part 925) regulating the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oreg., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Idaho-Malheur County, Oregon Fresh Prune Marketing Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 925.204 Expenses and rate of assessment for the 1964-65 fiscal period.

(a) Expenses: The expenses that are reasonable and likely to be incurred by the Idaho-Malheur County, Oregon, Fresh Prune Marketing Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning July 1, 1964, and ending June 30, 1965, will amount to \$3,850.

(b) Rate of assessment: The rate of

(b) Rate of assessment: The rate of assessment, which each handler who first handles fresh prunes shall pay as his pro rata share of the aforementioned

12 35

expenses in accordance with the applicable provisions of said marketing agreement and order, is hereby fixed at one-half cent (\$0.005) per one-half bushel or equivalent quantity of fresh prunes so handled by such handler during such fiscal period.

(c) Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the Federal Register (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable fresh prunes from the beginning of such period; and (2) the current fiscal period began on July 1, 1964, and the rate of assessment herein fixed will automatically apply to all assessable fresh prunes beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 27, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 64-8871; Filed, Aug. 31, 1964; 8:49 a.m.]

PART 981—ALMONDS GROWN IN CALIFORNIA

Salable and Surplus Percentages for 1964-65 Crop Year

Notice was published in the Federal REGISTER on August 14, 1964 (29 F.R. 11653), that there was under consideration the proposed establishment of a salable percentage of 85 percent and surplus percentage of 15 percent for California almonds during the crop year beginning July 1, 1964. The percentages are based on recommendations of the Control Board and other available information and are designated pursuant to the provisions of amended Marketing Agreement No. 119 and Order No. 981 (7 CFR Part 981), regulating the handling of almonds grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views or arguments pertaining to the proposal. The prescribed time has elapsed and no such communications have been received.

After consideration of all relevant matters presented, including those in the notice, it is hereby found that the salable and surplus percentages as hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, the salable and surplus percentages for almonds received by handlers for their own accounts during the 1964-65 crop year are hereby designated as follows:

notice, the information and recommendations submitted by the Committee, and other available information, it is found

§ 981.214 Salable and surplus percentages for almonds during the crop year beginning July 1, 1964.

The salable and surplus percentages during the crop year beginning July 1, 1964, shall be 85 percent and 15 percent, respectively.

It is hereby further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGIS-TER (5 U.S.C. 1001-1011) in that: (1) the relevant provisions of said amended marketing agreement and this part require that salable and surplus percentages designated for a particular crop year shall be applicable to all almonds received by handlers for their own accounts during such year; and (2) the current crop year began on July 1, 1964, and the percentages herein designated will automatically apply to all such almonds beginning with such date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 26, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-8848; Filed, Aug. 31, 1964; 8:47 a.m.]

PART 987—DOMESTIC DATES PRO-DUCED OR PACKED IN A DESIG-NATED AREA OF CALIFORNIA

Free and Restricted Percentages and Withholding Factors for 1964–65 Crop Year

Notice was published in the August 11, 1964, issue of the Federal Register (29 F.R. 11501) regarding a proposal to establish free and restricted percentages and withholding factors applicable to particular varieties of domestic dates for the 1964–65 crop year beginning August 1, 1964. The percentages are based on recommendations of the Date Administrative Committee and other available information, in accordance with the applicable provisions of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987; 29 F.R. 9706), regulating the handling of domestic dates produced or packed in a designated area of California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the prescribed time.

After consideration of all relevant matters presented, including those in the

notice, the information and recommendations submitted by the Committee, and other available information, it is found that to establish free percentages, restricted percentages, and withholding factors as hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, the free percentages, restricted percentages, and withholding factors applicable with respect to marketable dates certified for handling or further processing during the 1964-65 crop year are established as follows:

§ 987.212 Free and restricted percentages, and withholding factors.

The various free percentages, restricted percentages, and withholding factors applicable to marketable dates of each variety shall be, for the crop year beginning August 1, 1964, and ending July 31, 1965, as follows: (a) Deglet Noor variety dates: Free percentage, 72.5 percent; restricted percentage, 27.5 percent; and withholding factor, 37.9 percent; (b) Zahidi variety dates: Free percentage, 21.8 percent; and withholding factor, 27.9 percent; (c) Halawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding factor, 0 percent; and (d) Khadrawy variety dates: Free percentage, 100 percent; restricted percent; restricted percent; restricted percent; restricted percent; restricted percent; restricted percent; and withholding factor, 0 percent; and withholding factor, 0 percent.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the Federal Register (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that (a) free and restricted percentages and withholding factors established for a particular crop year shall be applicable with respect to all dates certified for handling or for further processing during that crop year, and (b) the withholding obligations based on the continued regulation from the preceding crop year shall be adjusted to the newly established percentages upon their establishment; (2) the current crop year began on August 1, 1964; and (3) the percentages and withholding factors established herein will apply, and adjustment thereto of handlers' withholding obligations are required, automatically with respect to all such dates.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 26, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-8849; Filed, Aug. 31, 1964; 8:47 a.m.]

¹The Date Administrative Committee included no countries other than the United States and Canada in its determination of trade demand.

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 1]

PART 1001—MILK IN MASSACHU-SETTS-RHODE ISLAND MARKETING AREA

Order Amending and Consolidating Orders

Correction

In F.R. Doc. 64-8709, appearing in the issue of Thursday, August 27, 1964, at page 12236, the part heading for Part 1001 should be corrected to read as set forth above.

[Milk Order 15]

PART 1015—MILK IN CONNECTICUT MARKETING AREA

Subpart—Order Regulating Handling

Correction

In F.R. Doc. 64–8710, appearing in the issue of Thursday, August 27, 1964, at page 12248, the date in the last paragraph on page 1260 now reading "August 29, 1964", should be corrected to read "August 24, 1964".

[Milk Order No. 66]

PART 1066—MILK IN SIOUX CITY, IOWA, MARKETING AREA

Order Amending Order

§ 1066.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Sioux City, Iowa, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the

Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon

which a hearing has been held.

(b) Additional findings. It is necessary in the public interest to make this order amending the order effective not later than September 1, 1964. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Agricultural Marketing Service, was issued July 31, 1964, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued August 19, 1964. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective September 1, 1964, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c). Administrative Procedure Act, 5 U.S.C. 1001-1011)

- (c) Determinations. It is hereby determined that:
- (1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;
- (2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and
- (3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Sioux City, Iowa, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

Section 1066.17 is revised to read as follows:

§ 1066.17 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk and flavored milk drinks, cream, either sweet or sour (including any mixture of skim milk and butterfat containing more than six percent butterfat except aerated cream and mixes for frozen desserts and ice cream), and eggnog.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: September 1, 1964.

Signed at Washington, D.C., on August 26, 1964.

CHARLES S. MURPHY, Acting Secretary.

[F.R. Doc. 64-8850; Filed, Aug. 31, 1964; 8:47 a.m.].

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

Changes in Areas Quarantined

Pursuant to the provisions of sections 1 and 3 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 117, 120, 123, 125), § 72.5 of Part 72, Title 9, Code of Federal Regulations, which quarantines certain portions of Texas because of splenetic or tick fever in cattle, a contagious, infectious, and communicable disease, is hereby amended to read:

§ 72.5 Area quarantined in Texas.

The following portions of the specified counties in Texas are quarantined:

(a) That portion of Val Verde County lying south and west of the following described line:

Beginning at a point on the bank of the Rio Grande River known as the Hanging Rock of the Southern Pacific Railroad, approximately 12 miles northwest of Del Rio, Texas (there is a narrow shelf, railroad bed width, extending from Hanging Rock to Devil's River which is not passable to livestock) and following this railroad right-of-way in a southerly direction to where it intersects the present S.P. Railroad, approximately 5¼ miles; thence, following the S.P. Railroad in a southeasterly direction to where it joins the east fence of the Burnell Parker Field No. 1, approximately 5¾ miles; thence, following the east fence of the Burnell Parker Field No. 1 in a southwesterly direction to where it intersects Kite Road, approximately ½ mile; thence, following Kite Road in a southerly direction to where it intersects Garza Lane, approximately 1/10 mile; thence, following Garza Lane in a westerly direction to a corner; thence, in a southeasterly direction to where it intersects U.S. Highway 277 Spur, approximately 1½ miles; thence, following U.S. Highway 277 Spur in a southeasterly direction to where it intersects Hudson Drive, approximately ½ mile; thence, following Hudson Drive in a south-, easterly direction to where it joins the Silo Field Road, approximately $\%_0$ mile; thence, following the west fence of the Silo Field Road in a southeasterly direction to where it joins the east double fence of the W. L. Moody Silo Vega, approximately ¾ mile; thence, following the W. L. Moody double fence in a southeasterly direction to where it intersects the Val Verde-Kinney County line at Sycamore Creek, approximately 101/8

(b) That portion of Kinney County lying west of the following described line:

Beginning at a point where the W. L. Moody Ranch double fence intersects the Val Verde-Kinney County line at Sycamore Creek and following this double fence in a south-erly direction to where it joins the channel to the Maverick County Water District Headgates, approximately 4% miles; thence following said channel in a southerly direction past the Maverick County Water District Headgates to where it intersects the W. L. Moody double fence, approximately % mile; thence, following the W. L. Moody double fence in a southeasterly direction to where it intersects Maverick County Water District main canal, approximately 3 miles; thence, following the Maverick County Water District main canal in a southeasterly direction to where it intersects the Kinney-Maverick County line, approximately 6% miles.

(c) That portion of Maverick County lying west of the following described line:

Beginning at a point where the Maverick County Water District main canal intersects the Kinney-Mayerick County line and following this main canal in a southeasterly direction to where it intersects the west right-of-way fence of U.S. Highway 277, approximately 5% miles; thence, following the west right-of-way fence of U.S. Highway 277 in a southerly direction to where it intersects Maverick County Water District Lateral No. 2, approximately 1/2 mile; thence, following Maverick County Water District Lateral No. 2 in a southerly direction to where it intersects the north double fence of the J. R. Jones west field, approximately 1% miles; thence, following the north double fence of the J.R. Jones west field in a westerly direction to a corner, approximately 1/3 mile; thence, along the west double fence of the J. R. Jones west field in a southerly direction to a corner, approximately 1/2 mile; thence, along the south double fence of the J. R. Jones west field in an easterly direction to where it intersects the Maverick County Water District Lateral No. 2, approximately % mile; thence, along Maverick County Water District Lateral No. 2 in a southerly direction to where it intersects the north fence of the Calley property, approximately 3 miles; thence, east along the north fence of the Calley property to a corner, approximately 200 yards; thence, following the east fence of the Calley property in a southerly direction to the northeast corner of the Hal Bowles ranch, approximately % mile; thence, following the east fence of the Hal Bowles Ranch in a southeasterly direction to where it intersects the north fence of the Lehman Brothers Ranch, approximately 34 mile; thence, in a southerly direction along the Maverick County quarantine fence which is the east fence of the C. O. Myers Lehman River Pasture to where it intersects the north fence of the Las Vegas Ranch, approximately % mile; thence, along the north fence of the Las Vegas Ranch in an easterly direction to the northeast corner of the same, approximately 34 mile; thence, along the east fence of the Las Vegas Ranch in a southerly direction to where it intersects the northwest corner of the Shoftner property, approximately 1/2 mile; Thence, along the west fence of the Shoft-

ner property in a southeasterly direction to

mately 1/8 mile; thence, along the south fence of the Shoftner property in an easterly direction to where it intersects the Maverick County quarantine fence or the east fence of the Las Vegas Ranch, approximately 1/8 mile; thence, following the meanderings of the east fence of the Las Vegas Ranch in a southerly direction to where it intersects the north fence of the Alex Ritchie Farm, approximately 3½ miles; thence, along the north fence of the Alex Ritchie Farm in an easterly direction to where it inter-sects Maverick County Water District main canal, approximately 3/8 mile; thence, following the meanderings of the Maverick County Water District main canal in a southerly direction to where it intersects the C. P. & L. Power Plant Road, approximately 31/2 miles; thence, following the C. P. & L. Power Plant Road in an easterly direction to where it intersects the west fence of the Beer Joint Trap, approximately 1% miles; thence, following the west fence of the Beer Joint Trap in a southerly direction to the southwest corner of the same, approximately 5% mile; thence, following the south fence of the Beer Joint Trap in an easterly direction to where it intersects the west right-of-way fence of U.S. Highway 277, approximately 3/2 mile; thence, following the U.S. Highway No. 277 in a southerly direction to where it intersects the south fence of the DeBona Trap, approximately 7½ miles; thence, following the south fence of the DeBona Trap in a west-erly direction to where it intersects the east fence of the Meyers Vega, approximately 3/8 mile; thence, along the east fence of the Meyers Vega in a southerly direction to where it intersects the northwest corner of the Jack Spence premise, approximately 1/8 mile; thence, following the meanderings of the east fence of the Jack Spence premise in a southerly direction to the Southwest corner of the Spence premise where it intersects the Meyers Vega fence, approximately 1 mile; thence, following the Meyers Vega fence in a southerly direction to where it joins the Eagle Pass City Vega fence and continuing in a southerly direction to where it intersects the north fence of the Tom Bowles Kifuri pasture, approximately 1¾ miles; thence, following the north fence of the Tom Bowles Kifuri pasture in an easterly direction to the northeast corner of the same, approximately 11/4 miles;

Thence, following the east fence of the Tom Bowles Kifuri pasture in a southerly direction to where it intersects the north fence of the C. H. Lawless trap, approximately %6 mile; thence, following the north fence of the C. H. Lawless trap in an easterly direction to where it intersects Edison Drive Road, approximately %6 mile; thence, across Eidson Drive Road to the northwest corner of the Eidson property; thence, following the north fence of the Eldson property in an easterly direction to the northwest corner of the Webster property, approximately 1/8 mile; thence, following the north fence of the Webster property in an easterly direction to where it intersects Farm Road No. 1021, approximately %6 mile; thence, following Farm Road No. 1021 in a southeasterly direction to the southeast corner of the J. W. Weeks Ranch, approximately 16 miles; thence, following the south fence of the J. W. Weeks Ranch, which is known as the Maverick County quarantine fence, in a westerly direction to the northeast corner of Kiesling Rio Lado Pasture, approximately % mile; thence, following the Maverick County quarantine fence in a southerly direction to the northwest corner of the Kiesling Lake Pasture, approximately 11% miles; thence, along the Kiesling Lake Pasture double fence in a southeasterly direction to where it intersects the north fence of the R. C. Cage Mansfield pasture, approximately 1% miles; thence, following the north fence of the R. C. Cage Mansfield Pasture in a northeasterly direction to a corner, approximately 11/2 miles; thence, east along the north fence of the R. C. Cage Mansfield Pasture to a corner, approximately 1% mile; thence, northeast along the north fence of the R. C. Cage Mansfield Pasture, to where it intersects the Eagle Pass-Laredo River Road, approximately 3/4 mile; thence, following the Eagle Pass-Laredo River Road in a southeasterly direction to where it intersects the Maverick-Webb County line, approximately 17 miles.

(d) That portion of Webb County lying south and west of the following described line:

Beginning at a point where the Maverick-Webb County line intersects the Eagle Pass-Laredo River Road and following this road in a southeasterly direction to where it intersects the north double fence of the Las Minas Ranch, approximately 43½ miles; thence, following the north double fence of the Las Minas Ranch in a westerly direction to the northwest corner of the same, approximately 11/4 miles; thence, following the west double fence of the Las Minas Ranch in a southerly direction to the southwest corner of the same, approximately 334 miles; thence, following the south double fence of the Las Ranch in an easterly direction to where it intersects the Eagle Pass-Laredo River Road which will be called "Mines Road" from this point south, approximately 21/3 miles; thence, following the Mines Road in a southeasterly direction to where it intersects the northwest corner of the Laredo Municipal Airport, approximately 121/2 miles; thence, following the north fence of the Laredo Municipal Airport in an easterly direction to the northeast corner of the same, approximately %6 mile; thence, south along the east fence of the Laredo Municipal Airport to where it intersects the north fence of the Farias Farm, approximately ¾ mile; thence, following the north fence of the Farias farm in an easterly direction to where it intersects U.S. Highway 83, approximately 1% miles; thence, following U.S. Highway 83 in a southerly direction to where it intersects the north fence of the Flores Trap, approximately 1% miles: thence, northeast along the north fence of the Flores Trap to the west fence of the Kuykendal Quiote Pasture, approximately 2½ miles; thence, following the west fence of the Kuykendal Quiote Pasture in a southeasterly direction to a corner, approximately 1% miles; thence, northeast along the south fence of the Kuykendal Quiote Pasture to a corner, approximately 1 mile; thence, southeast along the Kuykendal Quiote Pasture south fence to the Test Site Road, approximately 3% mile; Thence, southwest along the Test Site

Road to the west fence of the Alexander property, approximately 2% miles; thence, following the west fence of the Alexander property in a southerly direction to a corner, approximately % mile; thence, following the Alexander south fence in an easterly direction to where it intersects the J. Jacaman north fence, approximately 1/4 mile; thence, following the J. Jacaman north fence in a southwesterly direction to a corner, approximately % mile; thence, following the J. Jacaman west fence in a southerly direction where it intersects the northwest corner of the Rash Trap, approximately $\%_{10}$ mile; thence, following the north fence of the Rash Trap in an easterly direction to where it intersects the Laredo Air Force Base north fence, approximately 3% mile; thence, following the Laredo Air Force Base north fence in an easterly direction around the Laredo Air Force Base to where it intersects the north fence of the Casa Blanca Recreation area, approximately 134 miles; thence, following the Casa Blanca Recreation area north fence in an easterly direction to where it intersects Casa Blanca Lake, approximately

3% mile; thence, crossing the Casa Blanca Lake with about ¼ mile offset to the south and following the Lower Lake Trap north fence in an easterly direction to the northeast corner of the Lower Lake Trap, approximately 1 mile; thence, following the east fence of the Lower Lake Trap in a southerly direction to where it intersects U.S. Highway 59, approximately % mile; thence, following U.S. Highway 59 in a southwesterly direction to where it intersects the west fence of the Guerra property, approximately ¾ mile; thence, following the west fence of the Guerra property in a southerly direction to where it intersects the northwest corner of the Killam Ranch, approximately 1/2 mile; thence, following the Killam Ranch west fence in a southerly direction to a corner, approximately % mile; thence, continuing along same fence in a westerly direction to a corner, approximately % mile; thence, following same fence in a southerly direction to where it intersects the Tex-Mex Railroad, approximately ¾ mile;

Thence, following the Tex-Mex Railroad in a westerly direction to where it intersects the northwest corner of the Chavana property, approximately ½ mile; thence, following the west fence of the Chavana property in a southerly direction to where it intersects the Chavana Road, approximately ½ mile;

the Chavana Road, approximately ½ mile; thence, following the Chavan Road in a westerly direction to a corner, approximately 316 mile; thence, following the Chavana Road in a southerly direction to where it inter-sects State Highway No. 359, approximately 3/8 mile; thence, south across State Highway No. 359 and Loop 20 at the intersection and to the north fence of the Bruni-Sommer-Dickenson property, approximately 100 yards; thence, following the north fence of the Bruni-Sommer-Dickenson property in a southwesterly direction to a corner, approximately 1/4 mile; thence, south along the west fence of the Bruni-Sommer-Dickenson property to where it intersects the north fence of the S. Vasquez ranch, approximately 34 mile; thence, east along the north fence of the S. Vasquez ranch to a corner, approximately ¾ mile; thence, following the east fence of the S. Vasquez ranch in a southerly direction to the north fence of the Dr.

Wormser Road to a corner approximately 1/16 mile; thence, west along the same fence to a corner, approximately 1/16 mile; thence, following same fence in a southerly direction to a corner, approximately 3/26 mile; thence, following same fence in a westerly direction to a corner, approximately 5/26 mile; thence, south along same fence to a corner, approximately 3/16 mile; thence, continuing along same fence in a westerly direction to where it intersects U.S. Highway 83, approximately

Wright ranch, approximately % mile; thence, following the north fence of the Dr. Wright

ranch in a westerly direction to a corner,

approximately 11/2 miles; thence, following

same fence in a southerly direction across

3/3 mile; thence, following U.S. Highway 83 in a southerly direction to where it interesects the north double fence of the A. W. Gates Santa Rita farm approximately 13/4 miles; thence, following the meanderings of the north double fence of the A. W. Gates Santa Rita farm in a westerly direction to the northwest corner of the same, approximately 13/4 miles;

mately 1¼ miles;

Thence, following the west double fence of the A. W. Gates Santa Rita farm in a southerly direction to the southwest corner of the same, approximately %6 mile; thence, following the south double fence of the A. W. Gates Santa Rita farm in an easterly direction to where it intersects U.S. Highway 83, approximately 1 mile; thence, south along U.S. Highway 83 to the northeast corner of San Andres Dairy, approximately %6 mile; thence, following the north double fence of the San Andres Dairy in a westerly direction to a corner, approximately % mile; thence,

following same double fence in a southerly direction to a corner, approximately ¼ mile; thence, following same double fence in a westerly direction to a corner, approximately % mile; thence, following same double fence in a southerly direction to the southwest corner of the same, approximately % mile; thence; following same double fence in an easterly direction to where it intersects the U.S. Highway 83, approximately % mile; thence, following U.S. Highway 83, in a southerly direction to the northeast corner of the T. J. Yancey San Rafael farm, approximately 2% miles; thence, following the north double fence of the T. J. Yancey San Rafael farm in a westerly direction to the northwest corner of the same, approximately 1 mile; thence, suthwest along the west double fence of the T. J. Yancey San Rafael farm to the north single fence of the Wm. McKendrick & Sons Santa Rosa Farm, approximately % mile; thence, continuing southwest along the Wm. McKendrick & Sons Santa Rosa Farm's double fence to the southwest corner of the same, approximately % mile; thence, following the south double fence of the Wm. McKendrick & Sons Santa Rosa Farm in an easterly direction to U.S. Highway 83, approximately 21/4 miles; thence, following U.S. Highway 83, in a southerly direction to where it intersects the H. B. Zachary Ranch north double fence, approximately 4 miles; thence, west along H. B. Zachary's north double fence to the Clark Feed Lot, approximately 3% miles; thence, north along the east double fence of the Clark Feed Lot to a corner, approximately 175 yards; thence, west along the north double fence of Clark Feed Lot to a corner, approximately 175 yards; thence, south along Clark Feed Lot west double fence to the H. B. Zachary north double fence, approximately 175 thence, west along the H. B. Zachary Ranch double fence to the northwest corner of same, approximately 1% miles; thence, following the meanderings of the H. B. Zachary west double fence in a southeasterly direction to a corner, approximately 4½ miles; thence, following same fence in an easterly direction to a corner, approximately % mile; thence, following same fence in a southerly direction to a corner, approximately % mile; thence, following the H. B. Zachary Ranch south double fence in an easterly direction to where it intersects U.S. Highway 83 at the Webb-Zapata County line, approximately 3% miles.

(e) That portion of Zapata County lying west of the following described line:

Beginning at a point where U.S. Highway 83 intersects the Webb-Zapata County line; thence, following U.S. Highway 83 in a southerly direction to where it intersects the Vidaurri ranch north fence, approximately 11/4 miles; thence, east along the north fence of the Vidaurri ranch to the northeast corner of the same, approximately 11/4 miles; thence. following the meanderings of the east fence of the Vidaurri ranch in a southerly direction to where it intersects the north fence of the Dye Farm, approximately 51/4 miles; thence, following the north fence of the Dye Farm in a westerly direction to where it intersects U.S. Highway 83, approximately % mile; thence, following U.S. Highway 83 in a southerly direction to where it intersects the Zapata City limits fence, approximately 25 miles; thence, following the Zapata City limits fence in a westerly direction to a corner, approximately 1/16 mile; thence, following the meanderings of the Zapata City limits fence in a southeasterly direction to where it intersects U.S. Highway 83, approximately 31/8 miles; thence, following U.S. Highway 83 in a southerly direction to where it intersects the Zapata-Starr County line, approximately 231/2 miles.

(f) That portion of Starr County lying west and south of the following described line:

Beginning at a point where U.S. Highway 83 intersects the Zapata-Starr County line and following a fence along the Zapata-Starr County line in a southwesterly direction to where it intersects the east fence of old U.S. Highway 83, approximately 3% miles: thence. following the east fence of old U.S. Highway 83 in a southerly direction to a corner, approximately 1% miles; thence, following same fence in an easterly direction to a corner, approximately 1/2 mile; thence, following same fence in a southerly direction to where it intersects F. M. Road No. 2098, approximately % mile; thence, following F. M. Road No. 2098 in a southwesterly direction to where it intersects the Falcon Heights townsite east fence, approximately 1/2 mile; thence, following the Falcon Heights townsite east fence in a southeasterly direction to a corner, approximately $\frac{3}{6}$ mile; thence, following same fence in a southwesterly direction to a corner, approximately 3/16 mile; thence, following same fence in a southeasterly direction to where it intersects F. M. Road 2098, approximately % mile; thence, following F. M. Road No. 2098 in a southeasterly direction to where it intersects the north fence of the C. Gonzales Ranch, approximately 34 mile; thence, following the north fence of the C. Gonzales Ranch in a northeasterly direction to where it intersects U.S. Highway 83, approximately 1% miles; thence, following U.S. Highway 83 in a southerly direction to the south fence of the L. Martinez Ranch, approximately 10½ miles; thence, following the south fence of the L. Martinez Ranch in a northeasterly direction to the north east corner of the G. Madrigal Ranch, approximately 1% miles; thence, following the east fence of the G. Madrigal Ranch in a southerly direction to where it intersects the south fence of the Arturo Trevino Ranch, approximately 1% miles; thence, following the Arturo Trevino south fence in an easterly direction crossing the Los Saenz Road and continuing to where it intersects the southwest corner of Jose Garza property, approximately ¾ mile;

Thence, following the meanderings of the south and east fence of the Jose Garza property in a northerly direction to where it intersects the south fence of J. Munoz Ranch, approximately % mile; thence, following the south fence of the J. Munoz Ranch in an easterly direction to the southeast corner of the same, approximately ½ mile; thence, following the east fence of the J. Munoz Ranch in a northerly direction to where it intersects the south fence of the Mateo Herrera pasture, approximately \(\frac{9}{16} \) mile; thence, following the south fence of the Mateo Herrera pasture in an easterly direc-tion to where it intersects the west fence of B. Sosa & Bros. Pasture, approximately mile; thence, following the west fence of the B. Sosa & Bros. Pasture in a northerly direction to where it intersects the north fence of B. Sosa & Bros. Pasture, approximately 34 mile; thence, following the north fence of B. Sosa & Bros. Pasture in an easterly direction to where it intersects the west fence of the De Los Santos property, approximately % mile; thence, following the De Los Santos property west fence in a southerly direction to where it intersects the De Los Santos property south fence, approximately 1/4 mile; thence, following the De Los Santos property south fence in a northeasterly direction to where it intersects the F. Perez property west fence, approximately ½ mile; thence, following the west fence of the F. Perez property in a southerly direction to the southwest corner of the same, approximately 1/16 mile; thence, following the south fence of the F. Perez property in an easterly direction to where it intersects the Escobares Road, approximately 1/8 mile; thence, crossing the Escobares Road at a cattle guard at the southwest corner of the Francisco Escobar Ranch, approximately 60 feet; thence, following the south fence of the Francisco Escobar Ranch in an easterly direction to a corner, approximately ¼ mile; thence, following same fence in a southerly direction to a corner, approximately ⅓ mile; thence, following the same fence in an easterly direction to where it intersects the west fence of the F. Escobar field, approximately 1/8 mile; thence, following the west fence of the F. Escobar field in a southerly direction to the southwest corner of the same, approximately % mile; thence, following the south fence of the F. Escobar field in an easterly direction to where it intersects the west fence of the Cipriano Garza pasture, approximately % mile;
Thence, following the west fence of the

Cipriano Garza pasture in a southerly direction to where it intersects the south fence of the Cipriano Garza pasture, approximately % mile; thence, following the meanderings of the south fence of the Cipriano Garza pasture in a southeasterly direction to where it intersects the T. Munoz Ranch, approximately %6 mile; thence, south along the T. Munoz west fence to a corner, approximately 1/16 mile; thence, following the same fence in an easterly direction to a corner, approximately 1/8 mile; thence, following the T. Munoz west fence in a southerly direction to the southwest corner of the same, approximately ¼ mile; thence, following the south fence of the T. Munoz pasture in a south-easterly direction to where it intersects F. M. Road No. 649, approximately 1/2 mile; thence, following F.M. Road No. 649 in a northerly direction to the southwest corner of the T. Munoz field, approximately ¼ mile; thence, following the south fence of the T. Munoz field in an easterly direction to where it intersects the west fence of the Vidal Garza pasture, approximately 1/16 mile; thence, following the west fence of the Vidal Garza pasture in a northerly direction to the northwest corner of the same, approximately 1/8 mile; thence, following the north fence of the Vidal Garza pasture in an easterly direction to where it intersects a county road, approximately %6 mile; thence, across the county road to the Juan Garza pasture west fence; thence, following the Juan Garza pasture west fence in a southerly direction to a corner, approximately 1/8 mile; thence, following the meanderings of the Juan Garza pasture south fence in an easterly direction to where it intersects Guadalupe Alvarez' pasture west fence, approximately 1/3 mile; thence, following the west fence of the Guadalupe Alvarez pasture in a northerly direction to the northwest corner of the same, approximately ¼ mile; thence, following the north fence of the Guadalupe Alvarez pasture in an easterly direction to a corner, approximately ¾ mile; thence, following same fence in a southerly direction to a corner, approximately 1/16 mile; thence, following the meanderings of same fence in an easterly direction to where it intersects the Agua Verde road, approximately 1 mile; thence, following the Agua Verde road in a northerly direction to a cattle guard, approximately ½ mile; thence, across the Agua Verde road at a cattle guard at the Sun-Tex Farms northwest corner; thence, following the Sun-Tex Farm north fence in an easterly direction to the northeast corner of the Sun-Tex Farm, approximately 11/2 miles;

Thence, following the east fence of the Sun-Tex Farm in a southerly direction to a corner, approximately % mile; thence, following same fence in a westerly direction to a corner, approximately ¼ mile; thence, following same fence in a southerly direction to a corner, approximately ½ mile; thence,

following same fence in an easterly direction to a corner, approximately 1/2 mile; thence, following same fence in a southerly direction to a corner, approximately ¾ mile; thence, following the meanderings of the same fence in an easterly direction to the northwest corner of the Jose Hernandez property, approximately 1/16 mile; thence, following the north fence of the Jose Hernandez property in an easterly direction to the southwest corner of the Kruger Bros. Laguna Ranch, approximately 1/8 mile; thence, following Kruger Bros. Laguna Ranch south fence in a southeasterly direction to where it intersects the Fordyce Gravel Company west fence, approximately 1 mile; thence, following the west fence of the Fordyce Gravel Co., in a southerly direction to where it intersects U.S. Highway 83, approximately 75 yards; thence, following U.S. Highway 83 in an easterly direction to the southeast corner of the Fordyce Gravel Company fence, approxi-mately 1 mile; thence, following the meanderings of the Fordyce Gravel Company east fence in a northerly direction to where it intersects the Rio Grande City west city limits road, approximately ½ mile; thence, following the Rio Grande City west city limits road in a northerly direction to the south-west corner of the Oscar Olivarez field, ap-proximately ½ mile; thence, following the south fence of the Oscar Olivarez field in a westerly direction to the southwest corner of same field, approximately 5/16 mile; thence, following the west fence of the Oscar Olivarez field in a northerly direction to the northwest corner of same field, approximately ½ mile; thence, following the north fence of the Oscar Olivarez field in an easterly direction to a corner, approximately 1/16 mile; thence, following same fence in a northerly direction to the southwest corner of the Gonzalo Tijerina pasture, approximately 1/16 mile;

Thence, following the south fence of the Gonzalo Tijerina pasture in an easterly direction to where it intersects the Rio Grande City west city limits road, approximately % mile; thence, following the south fence of the Gonzalo Tijerina pasture along the Rio Grande City west city limits road in a northerly direction to a corner, approximately 1/8 mile; thence, following the south fence of the Gonzalo Tijerina pasture along the Rio Grande City west city limits road in an easterly direction to the southeast corner of the Gonzalo Tijerina pasture, approximately %6 mile; thence, following the east fence of the Gonzalo Tijerina pasture along the Rio Grande City west city limits road in a northerly direction to where it intersects the El Sauz Road, approximately ½ mile; thence, following the west fence of the El Sauz Road in a northwesterly direction to a cattle guard, approximately 34 mile; thence, across the El Sauz Road at said cattle guard to the east fence of the El Sauz Road; thence, following the east fence of the El Sauz Road in a southerly direction to the southwest corner of the Jose Casas pasture, approximately 1/16 mile; thence, following the west fence of the Jose Casas pasture in a northerly direction to the northwest corner of the same, approximately 3/8 mile; thence, following the north fence of the Jose Casas pasture in an easterly direction to the northeast corner of the same, approximately ¼ mile; thence, following the meanderings of the east fence of the Jose Casas pasture in a southerly direction to the northwest corner of the J. Casas east pasture, approximately % mile; thence following the north fence of the J. Casas east pasture in an easterly direction to where it intersects the west fence of the C. Laurel pasture, approximately 3/6 mile; thence, following the west fence of the C. Laurel pasture in a southerly direction to the southwest corner of the same, approximately ¼ mile;

Thence, following the south fence of the C. Laurel pasture in an easterly direction to the northwest corner of the Jose Hinojosa pasture, approximately % mile; thence, following the west fence of the Jose Hinojosa pasture in a southerly direction to the southwest corner of the same, approximately 1/2 mile; thence, following the south fence of the Jose Hinojosa pasture in an easterly direction to the southeast corner of the same, approximately % mile; thence, following the east fence of the Jose Hinojosa pasture in a northeasterly direction crossing a county road at a cattle guard and continuing along same fence to the southwest corner of the A. Salinas pasture, approximately ¼ mile; thence, following the south fence of the A. Salinas pasture in an easterly direction to where it intersects the west fence of the Santana Carrera Ranch, approximately 3/16 mile; thence, following the west fence of the Santana Carrera Ranch in a southerly di-rection to the northwest corner of the S. Carrera slaughter house pasture, approximately ½ mile; thence, following the north fence of the Santana Carrera slaughter house pasture in an easterly direction to a corner, approximately $\%_6$ mile; thence, following the same fence in a northerly direction to a corner, approximately 1/16 mile; thence, following the same fence in an easterly direction to the northeast corner of the S. Carrera slaughter house pasture, approximately 1/16 mile; thence, following the east fence of the S. Carrera slaughter house pasture in a southerly direction to the southwest corner of the Lito Garcia trap, approximately \S_{i6} mile; thence, following the south fence of the Lito Garcia trap in an easterly direction to where it intersects the west fence of the Doyno trap, approximately 3/16 mile; thence, following the west fence of the Doyno trap in a southwesterly direction to the southwest corner of the same, approximately 1/3

Thence, following the south fence of the Doyno trap in a southeasterly direction to the southwest corner of the G. Tijerina pasture, approximately $\frac{1}{3}$ mile; thence, following the south fence of the G. Tijerina pasture in a southeasterly direction to southeast corner of the same, approximately 1/16 mile; thence, following the south fence of the Lito Garcia pasture in a southeasterly direction to where it intersects the north right of way fence of F. M. Road No. 755 and continuing along this fence in an easterly direction crossing to the east side of Los Olmos Creek, approximately ¼ mile; thence, following a fence that crosses under F. M. Road No. 755 at the Los Olmos Creek bridge to the south right of way fence of F. M. Road No. 755; thence, following the south right of way fence of the F. M. Road No. 755 in an easterly direction to the northwest corner of the Benito Gomez pasture, approximately % mile; thence, south along the west fence of the Benito Gomez pasture to the north fence of the Rio Grande City air strip, approximately ¼ mile; thence, following the north fence of the Rio Grande City air strip in a southeasterly direction to the northeast corner of the same, approximately 1/8 mile; thence, following the east fence of the Rio Grande City air strip in a southerly direction to the M. P. Railroad right of way, approximately 5/16 mile; thence, following the M. P. Railroad in a southeasterly direction to a point where it crosses U.S. Highway 83, approximately 41/16 miles; thence, following the north side of the U.S. Highway 83 rightof-way in an easterly direction to where said right-of-way intersects the Starr-Hidalgo County line, approximately 11½ miles;

(g) That portion of Hidalgo County lying south and west of the following described line: Beginning at a point where U.S. Highway 83 intersects the Starr-Hidalgo County line and following the north side of U.S. Highway 83 right-of-way in an easterly direction to the east fence of the Sam Fordyce Ranch, approximately 4 miles; thence, crossing U.S. Highway 83, following the east fence of the Sam Fordyce Ranch in a southerly direction to the Old Military Road, approximately ½ mile; thence, following the Old Military Road in an easterly direction to where it intersects the IBWC levee, approximately 41/2 miles; thence, following the IBWC levee in a southeasterly direction to where it intersects the Old Military Road, approximately 8½ miles; thence, following the Old Military Road in an easterly direction to where it joins F. M. Road No. 1016, at Madero, approximately 1% miles; thence, following F. M. Road No. 1016 in a southeasterly direction to where it joins the Old Military Road, approximately 1 mile; thence, following the Old Military Road in a southeasterly direction to the North Granjeno Road, approximately 1% miles; thence, following the North Granjeno Road in an easterly direction to where it intersects Shary Road, approximately \(\frac{5}{2} \) mile; thence, south on Shary Road to where it intersects the Old Military Road, approximately 50 yards; thence, following the Old Military Road in an easterly direction to where it joins the M. P. Railroad, approximately 1% miles; thence, following the M. P. Railroad in a southerly direction to where it crosses F. M. Road No. 1926 and continuing along the M. P. Railroad in an easterly direction to the end of the same at F.M. Road No. 336, approximately 2% miles; thence, following F. M. Road No. 336 in a southerly direction to where it intersects U.S. Highway 281, approximately %6 miles; thence, following U.S. Highway 281 in an easterly direction to where it intersects the Hidalgo-Cameron County line, approximately 241/4 miles;

(h) That portion of Cameron County lying south of the following described line:

Beginning at a point where the Hidalgo-Cameron County line intersects U.S. Highway 281, following U.S. Highway 281 in an terly direction to where it intersects the Willacy County Canal, approximately 200 yards; thence, following the Willacy County Canal in a northerly direction to the C. P. & L. Company double pole power line, approximately ½ mile; thence, following the C. P. & L. Company double pole power line in an easterly direction to where it intersects F. M. Road 1479, approximately 71/8 miles; thence, south on F. M. Road No. 1479 to where it intersects a county road, approximately 50 yards; thence, following said county road in a southeasterly direction to where it intersects Ohio Station Road, approximately 1% miles; thence, southwest on Ohio Station Road to where it intersects the Cameron County Water District drain ditch, approximately ¾ mile; thence, following the Cameron County Water District drain ditch around the San Benito Water District Reservoir in a northeasterly direction to the northeast corner of the San Benito Water District Reservoir, approximately 21/2 miles; thence, continuing along the Cameron County Water District drain ditch in a northeasterly direction to where it joins the Resaca Rancho Viejo, approximately 51/4 miles; thence, following the meanderings of the Resaca Rancho Viejo in a southeasterly direction to where it intersects F. M. Road No. 1421, approximately 6 miles; thence, fol-lowing F. M. Road No. 1421 in a southerly direction to where it intersects F. M. Road No. 1732, approximately ¾ mile; thence, following F. M. Road No. 1732 in an easterly direction to where it intersects Carmen Avenue, approximately 134 miles; thence, following

Carmen Avenue in a southerly direction to where it intersects the Resaca Rancho Viejo, approximately 1¾ miles; thence, following the meanderings of the Resaca Rancho Viejo in an easterly direction to where it intersects the M. P. Railroad, approximately 5¼ miles; thence, following the M. P. Railroad in a southerly direction to where it intersects F. M. Road No. 802, approximately 2⅓ miles; thence, following F. M. Road No. 802 in an easterly direction to where it intersects F. M. Road No. 511, approximately 7¼ miles; thence, following F. M. Road No. 511 in a northerly direction to where it intersects Turning Basin Road, approximately ½ mile; thence, following Turning Basin Road in a northeasterly direction to the Turning Basin of the Brownsville ship channel, approximately ½ mile; thence, following the Brownsville ship channel in a northeasterly direction to where it intersects the Gulf of Mexico, approximately 17½ miles;

(Sec. 2, 32 Stat. 792, Ch. 30, 45 Stat. 59; 21 U.S.C. 111. Interprets or applies secs. 4, 5, 7, 23 Stat. 32 as amended, sec. 1, 32 Stat. 791, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 120, 117, 112, 113, 123, 125)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment includes certain additional portions of Texas within the area quarantined because of splenetic or tick fever. Hereafter, the restrictions pertaining to the interstate movement of certain animals and materials from or through such quarantined area, contained in 9 CFR Part 72, will apply thereto.

The amendment also excludes certain portions of Texas from the area quarantined because of that disease. Hereafter, the restrictions pertaining to the interstate movement of certain animals and materials from such quarantined area, contained in 9 CFR Part 72, will not apply thereto. However, the other restrictions on the interstate movement of certain animals and materials because of that disease, contained in said Part 72, will apply thereto.

The amendment imposes certain further restrictions necessary to prevent the spread of splenetic or tick fever, and. relieves certain restrictions presently imposed. It must be made effective immediately to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 27th day of August 1964.

George W. Irving, Jr., Acting Administrator, Agricultural Research Service.

[F.R. Doc. 64-8872; Filed, Aug. 31, 1964; 8:49 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A-GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

SUBCHAPTER C-DRUGS

PART 131—INTERPRETATIVE STATE-MENTS RE WARNINGS ON DRUGS AND FOR OVER-THE-COUNTER SALE

Ophthalmic Solutions and Dispensers

The comments in response to the notice of proposed rulemaking published in the Federal Register of June 28, 1963 (28 F.R. 6681) with reference to ophthalmic solutions and dispensers have been evaluated, and the Commissioner of Food and Drugs has concluded that the proposed revision of § 3.28 and amendment to § 131.15 should be issued with the changes set forth below, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625):

1. In paragraph (b) (1) of the proposed revision of § 3.28, the word "prevent" is changed to "inhibit" and the last sentence of paragraph (c) is changed to read: "They should be so packaged as to maintain sterility until the package is opened and be so labeled, on or within the retail package, as to afford adequate directions and necessary warnings to minimize the hazard of injury resulting from contamination during use." The statement of policy, as revised, reads as follows:

§ 3.28 Ophthalmic solutions and dispensers.

(a) Investigations by pharmaceutical manufacturers, physicians, and the Food and Drug Administration have revealed that liquid preparations for ophthalmic use contaminated with viable microorganisms have been responsible for serious eye injuries and, in some cases, loss of vision. The Administration has conducted a survey and has found that it is the consensus of informed medical opinion that such preparations should be sterile. It is evident that liquid preparations offered or intended for ophthalmic use, including cosmetic-type preparations for cleansing the eyes and contact-lens solutions, purport to be of such purity and quality as to be suitable for safe use in the eye. The Administration concludes that such preparations fall below their professed standard of purity or quality and may be unsafe for use if they are not sterile. Accordingly, such liquid preparations offered or intended for ophthalmic use that are not sterile may be regarded as adulterated within the meaning of section 501(c) of the Federal Food, Drug, and Cosmetic Act and, further, may be misbranded within the meaning of section 502(j) of the act.

- (b) Liquid ophthalmic preparations packed in multiple-dose containers should:
- (1) Contain one or more suitable and harmless substances that will inhibit the growth of micro-organisms; or
- (2) Be so packaged as to volume and type of container and so labeled as to duration of use and with such necessary warnings as to afford adequate protection and minimize the hazard of injury resulting from contamination during use.
- (c) Eye cups, eye droppers, and other dispensers intended for ophthalmic use should be sterile, and may be regarded as falling below their professed standard of purity or quality if they are not sterile. They should be so packaged as to maintain sterility until the package is opened and be so labeled, on or within the retail package, as to afford adequate directions and necessary warnings to minimize the hazard of injury resulting from contamination during use.
- 2. In § 131.15, the item "Ophthalmic Preparations" is revised to read as follows:
- § 131.15 Drugs for human use; recommended warning and caution statements.

Ophthalmic Prepartions. (See also § 3.28 of this chapter.)

Warning-If irritation persists or increases, discontinue use and consult Keep container tightly physician. closed.

Solutions should include the statement: Do not touch dropper tip (or other dispensing tip) to any surface, since this may contaminate solution.

Boric acid offered for use in the preparation of ophthalmic solutions should bear the statement: Prepare solution by boiling in water. Store in a sterile container. Prepare sufficient for one day's use and discard unused portion.

(Secs. 501(c), 502(j), 701(a), 52 Stat. 1050, 1051, 1055; 21 U.S.C. 351(c), 352(j), 371(a))

Dated: August 25, 1964.

JOHN L. HARVEY, Deputy Commissioner of Food and Drugs.

[F.R. Doc. 64-8859; Filed, Aug. 31, 1964; 8:48 a.m.1

SUBCHAPTER B-FOOD AND FOOD PRODUCTS PART 121-FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

Subpart F-Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

FOOD STARCH-MODIFIED, INDUSTRIAL STARCH-MODIFIED; FINAL ORDER

In response to the notice of proposed rulemaking in the above-identified matter published in the Federal Register of June 10, 1964 (29 F.R. 7473), certain in-

terested persons submitted requests for changes in the proposal affecting § 121.1031(b) (a change in the chlorine limitation and bleaching by multiple modifiers); § 121.1031 (d) and (f) (deletion of the phrase "in the presence of" to permit use of two modifying chemicals in sequence rather than simultaneously); § 121.2506(a) (relisting chlorine-epi-chlorhydrin as a modifier of industrial starch and a change in the modification sequence procedure).

In addition to the changes above listed, the Food and Drug Administration has reviewed the data contained in two food additive petitions (FAP 598, 1238), filed by A. E. Staley Manufacturing Company, Decatur, Illinois, and Penick & Ford Ltd., 570 Third Avenue, New York 17, New York, and has con-cluded that the two sections involved should be further amended by adding the bleaching agents ammonium persulfate and sulfur dioxide to § 121.1031(b) and by adding acrolein and vinyl acetate to the additives permitted in § 121.1031(f).

After evaluation of the comments received, the data contained in the petitions, and other relevant material, and in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c), (d), 72 Stat. 1786, 1787; 21 U.S.C. 348 (c), (d)) and the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90: 29 F.R. 471):

It is ordered, That the amendments be made as set forth in the proposal published June 10, 1964, with the changes above noted. As revised, these sections read as follows:

§ 121.1031 Food starch-modified.

Food starch-modified as described in this section may be safely used in food. The quantity of any substance employed to effect such modification shall not exceed the amount reasonably required to accomplish the intended physical or technical effect, nor exceed any limitation prescribed. To insure safe use of the food starch-modified, the label of the food additive container shall bear the name of the additive "food starch-modified" in addition to other information required by the act. Food starch may be modified by treatment prescribed as follows:

(a) Food starch may be acid-modified by treatment with hydrochloric acid or sulfuric acid or both.

(b) Food starch may be bleached by treatment with one or more of the following:

Limitation

Active oxygen obtained from hydrogen peroxide and/or peracetic acid, not to exceed 0.45 percent of active oxygen.

Ammonium persulfate, not to exceed 0.075 percent and sulfur dioxide, not to exceed 0.05 percent.

Chlorine, as sodium hy-pochlorite, not to ex-ceed 0.0082 pound of chlorine per pound of dry starch.

Potassium permanganate, not to exceed 0.2 percent.

Limitation Residual manganese (calculated as Mn), not to exceed 50 parts per million in food starchmodified.

Timitation

Sodium chlorite, not to exceed 0.5 percent.

(c) Food starch may be oxidized by treatment with chlorine, as sodium hypochlorite, not to exceed 0.055 pound of chlorine per pound of dry starch.

(d) Food starch may be esterified by treatment with one of the following:

	201100000000
Acetic anhydride, not to exceed 5.0 percent.	
Adipic anhydride, not to exceed 0.12 percent, and acetic anhydride, not to exceed 5.0 percent.	
1-Octenyl succinic an- hydride, not to exceed 3.0 percent.	
1-Octenyl succinic an- hydride, not to exceed 2.0 percent, and alu- minum sulfate, not to exceed 2.0 percent.	
Phosphorus oxychloride, not to exceed 0.1 per- cent.	
Sodium trimetaphos- phate.	Residual phos- phate in food starch-modified not to exceed 0.04 percent, calculated as phosphorus.
Succinic anhydride, not to exceed 4.0 percent.	
Vinyl acetate	Acetyl groups in food starch- modified not to

(e) Food starch may be etherified by treatment with one of the following:

cent.

Acrolein, not to exceed 0.6 percent. Epichlorohydrin, not to exceed 0.3 percent. Propylene oxide, not to exceed 25 percent.

(f) Food starch may be esterified and etherified by treatment with one of the following:

	Limitation
Acrolein, not to exceed 0.6 percent and vinyl acetate, not to exceed 7.5 percent.	Acetyl groups in food starch- modified not to exceed 2.5 per- cent.
Epichlorohydrin, not to exceed 0.3 percent, and acetic anhydride, not to exceed 5.0 percent. Phosphorus oxychloride, not to exceed 0.1 percent, and propylene oxide, not to exceed 8.0 percent.	

- (g) Food starch may be modified by treatment with one of the following:
- Chlorine, as sodium hypochlorite, not to exceed 0.055 pound of chlorine per pound of dry starch; 0.45 percent of active oxygen obtained from hydrogen peroxide; and propylene oxide, not to exceed 25 percent. Sodium hydroxide, not to exceed 1.0 percent.
- (h) Food starch may be modified by a combination of the treatments prescribed by paragraphs (a) and/or (b) of this section and any one of the treatments

prescribed by paragraph (c), (d), (e), (f), or (g) of this section, subject to any limitations prescribed by the paragraphs named.

121.2506 Industrial starch-modified.

safely used as a component of articles intended for use in producing, manufac-Industrial starch-modified may be

holding food, subject to the provisions of this section.

fled by treatment with one of the reactants hereinafter specified, in an amount reasonably required to achieve the desired functional effect but in no event in ಥ food starch-modified or starch or any combination thereof that has been modistarch-modified is (a) Industrial

excess of any limitation prescribed, with or without subsequent treatment as au-thorized in § 121.1031. this only as internal sizing for paper and paper-board intended for food packaging. modified by treatment shall be used Limitations Industrial starch \$-Diethylaminoethyl chloride hydrochloride, not to Dimethylaminoethyl methacrylate, not to exceed 2,3-Epoxypropyltrimethylammonium chloride, not to exceed 5.0 percent. Ethylene oxide, not to exceed 3.0 percent of reacted ethylene oxide in finished product. per pound of dry starch and epichlorohydrin, not Chiorine, 0.055 pound, as sodium hypochlorite, Dimethylol ethylene urea, not to exceed 0.375 perturing, packing, processing, preparing, treating, packaging, transporting, of transporting, to exceed 0.3 percent. treating, packaging, exceed 4.0 percent. List of reactants: 3.0 percent.

(b) The following adjuvants may be used as surface-active agents in the processing of industrial starch-modified

Polyethylene glycol (400) monolaurate. Polyoxyethylene (4) lauryl ether. Polyoxyethylene (20) sorbitan trioleate. dilaurate. Polyethylene glycol (400) Sorbitan monolaurate.

starch-modified, the label of the food additive container shall bear the name of the additive "industrial starch-modistarch-modified which is limited with respect to conditions of use, the label of the food additive container shall contain a To insure safe use of the industrial fled," and in the instance of an industrial statement of such limited use.

Washington 25, D.C., written objections fected by the foregoing order may at any time within 30 days from the date of its publication in the Federal Register file Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Any person who will be adversely afwith the Hearing Clerk, Department of thereto. Objections shall show wherein

the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds sought. Objections may be accompanied objectionable and the grounds for the legally sufficient to justify the relief by a memorandum or brief in support thereof. All documents shall be filed in the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objections. If a hearing is requested, quintuplicate. Effective date. This order shall be effective on the date of its publication in the Federal Register.

(Sec. 409(c), (d), 72 Stat. 1786, 1787; U.S.C. 348(c), (d))

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Dated: August 25, 1964.

of Food and Drugs. Deputy Commissioner JOHN L. HARVEY,

[F.R. Doc. 64-8860; Filed, Aug. 31, 1964;

PART 121—FOOD ADDITIVES

vant data, and has concluded that \$121.-2571 should be amended by inserting therein new items as set forth below. FAP 1130—Hercules Powder Co., 910 Market Street, Wilmington 99, Del. The Commissioner has evaluated the information contained in the petitions together with other available and rele-Equipment and Food Additives Subpart F—Food Additives Resulting From Contact With Containers or Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH DRY FOOD

has received the following petitions requesting amendment of the food additive regulations to permit the use of additional substances in components of The Commissioner of Food and Drugs paper and paperboard in contact with additional substances in components dry food:

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commis-

sioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29

> 320 Market Street, San Francisco 20, Calif.; FAP 968—R. T. Vanderbilt Co., Inc., 230 Park FAP 862—The General The & Rubber Co., 1708 Englewood Avenue, Akron 9, Ohio; FAP 881—American Bitumuis & Asphalt Co., Avenue, New York, N.Y., 10017;

\$ 121.2571

F.R. 471).

1.2571 Components of paper and paperhoard in contact with dry food.

* * * (q)

Limitations

flocculant employed prior to the sheet-forming operation in the manufacture of paper and paperonly as a retention aid board.

For use only as a mold-and mildewproofing agent in coatings. * *

of tnboard at a level not to exceed 5%by weight of the finished dry paper ternal sizing of paper and paper-For use only as a component and paperboard fibers.

quested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify for the objections. If a hearing is reeffective on the date of its publication in the Federal Register.

companied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

the relief sought. Objections may be ac-

List of substances

um methyl sulfate copolymer resins containing not more than 51% of β-methacrylyloxyethyltrimethylammonium methyl sulfate and containing less than 0.2% of residual acrylamide monomer. Acrylamide \(\theta\)-methacrylyloxyethyltrimethylammonf-

Captan (N-trichloromethylmercapto-4-cyclohexene-* 1,2-dicarboximide).

meet the following specifications: Softening point 190° F.-200° F. as determined by ASTM Method D-36. Petroleum asphalt steam- and vacuum-refined to Penetration at 77° F. not to exceed 0.3 mm. as de-

Maximum weight loss not to exceed 3% when distilled to 700° E, and not to exceed an additional 1.1% when further distilled between 700° F. and termined by ASTM Method D-5. thermal decomposition.

Sodium 2-ethylhexyl sulfate.....

With the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein time within 30 days from the date of its Any person who will be adversely afpublication in the Feberal Register file fected by the order and specify with par-ticularity the provisions of the order deemed objectionable and the grounds fected by the foregoing order may at any the person filing will be adversely af(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: August 25, 1964.

JOHN L. HARVEY, Deputy Commissioner of Food and Drugs.

[F.R. Doc. 64-8861; Filed, Aug. 31, 1964; 8:48 a.m.]

PART 121-FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

Antioxidants and/or Stabilizers for Polymers

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 1425) filed by Naugatuck Chemical Division of United States Rubber, Elm Street, Naugatuck, Connecticut, and other relevant material, has concluded that the food additive regulations should be amended to provide for the optional use of triisopropanolamine in tri(mixed mono- and dinonylphenyl) phosphite intended for use as an antioxidant and/ or stablizer in polymers that contact food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C, 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.2566(b) is amended by changing the item listed as "Tri(mixed mono- and dinonylphenyl) phosphite" to read as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

(b) * * *

Limitations

* * *

Tri(mixed mono- and di- --- nonylphenyl)phosphite (which may contain not more than 1% by weight of triisopropanolamine).

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the Federal Register file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the Federal Register.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: August 25, 1964.

John L. Harvey, Deputy Commissioner of Food and Drugs.

[F.D. Doc. 64-8862; Filed, Aug. 31, 1964; 8:48 a.m.]

PART 121-FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

PART 146-ANTIBIOTICS

Zoalene, Amprolium, Hygromycin B, Tylosin, etc., in Chicken Feed

1. The Commissioner of Food and Drugs, having evaluated the data sub-

mitted in petitions (FAP 779, 780, 1187) filed by Elanco Products Company, a division of Eli Lilly and Company, Indianapolis 6, Indiana, and other relevant material, has concluded that the following amendments should issue to provide for the safe use of specified combinations of zoalene, amprolium, hygromycin B, tylosin, and procaine penicillin in chicken feed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c) (1), 72 Stat. 1786; 21 U.S.C. 348(c) (1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), Subpart C is amended as hereinafter indicated:

§ 121.207 [Amended]

a. Section 121.207 Zoalene is amended by adding to the table in paragraph (c) new items 2k and 3k, as follows:

ZOALENE IN COMPLETE FEED FOR CHICKENS AND TURKEYS

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
2. Zoalene	***	***	***	***	* * *
k. Zoalene	113.5	(Hygromycin B plus Tylosin plus peni- cillin	8. 0–12. 0 3. 2–50	For broiler chickens; 3.2-50 gm. of combina- tion containing a ratio of 1.2 parts of penicillin to 2 parts of tylosin; as procaine penicillin plus tylosin phosphate.	§121.213(d), table 1, item 1 and growth pro- motion and feed efficiency.
3. Zoalene	* * *	* * *	* * *	* * *	***
k. Zoalene	36. 3–113. 5	Hygromycin B plus Tylosin plus peni- cillin.	8.0-12.0 3.2-50	For replacement chickens; 3.2-50 gm. of combina- tion containing a ratio of 1.2 parts of penicillin to 2 parts of tylosin; as pro- caine penicillin plus ty- losin phosphate.	§121.213(d), table 1, item 1 and growth promo- tion and feed efficiency.

b. Section 121.210 is amended by adding to Table 1 in paragraph (c) new items designated as 2.2p and 3.1p, as follows:

TABLE 1-AMPROLIUM IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
2.2 Amprolium	***	***	* * * *	***	***
p. 2.1	113. 5-227	Tylosin + peni- cillin.	3.2-50	For broiler chickens; 3.2-50 gm. of combination containing a ratio of 1.2 parts of penicillin to 2 parts of tylosin; as procaine pencillin + tylosin phosphate.	Growth premotion and feed effi- ciency.
* * *	* * *	* * *	* * *	***	:::
3.1 Amprolium	* * *	* * *		***	:::
* * *	* * *	l ** *	* * *		Cuamith manmatica
р. 3.1	36. 3-113. 5	Tylosin + peni- cillin.	3. 2-50	For replacement chickens; not for laying chickens; 3.2-50 gm. of combina- tion containing a ratio of 1.2 parts of penicillin to 2 parts of tylosin; as pro- caine penicillin + tylo- sin phosphate.	Growth promotion and feed effi- ciency.

- c. In the Federal Register amendment of July 1, 1964 (29 F.R. 8264) the item incorrectly designated as 2.10, in Table 1 in § 121.210(c), is redesignated as 2.20.
- d. Section 121.213 is amended by changing paragraphs (b), (c), and (d) to read as set forth below and by adding thereto a new paragraph. As amended, this section reads as follows:

§ 121.213 Hygromycin B.

The food additive hygromycin B may be safely used in animal feed in accord-

ance with the following prescribed conditions:

- (a) Hygromycin B is the antibiotic substance produced by growth of *Streptomyces hygroscopicus* or the same antibiotic substance produced by any other means.
- (b) The antibiotic activities authorized are expressed in this section in terms of the weight of the appropriate antibiotic standard.
- (c) Permitted uses of hygromycin B alone and with certain other additives in medicated feeds are described in

Table 1—Hygromycin B in Complete Chickin Feed—Continued

Control of infestation of large
roundworms
(Ascaris suis),
nodulut worms
(Oceophagostemum drulutum),
and whipworms
(Trichuris suis),
and feed efficleney.

Indications for use

These section. this ä

tables are to be read as follows:

(1) Where the principal ingredient is the sole medicament, the required limitations and indications for use are found

on the same line entry.
(2) Where the principal ingredient is the line entry for the principal ingredient alone, and both sets of applicable limitations and indications for use shall apply. If duplicate limitations occur, tions for use for the secondary ingredient combined with a secondary ingredient, the required limitations and indicaare found on the same line entry. The required limitations and indications for use of the principal ingredient at the designated concentration are found on these may be appropriately combined,

(3) Permitted combinations of principal ingredient and secondary ingredient are individually listed. Unless specifically provided by the regulations, the principal ingredient may not be mixed with two or more secondary ingredients. Where cross-reference other section, use of only the particular table and ftem nu 4

as used in this section refers ent is of greater value than tive named in the title of this is not intended to imply that thorized thereby. (5) The term "principal

Table 1—Hygromycin B in Complete Chicken Feed

additives named in this section (d) The additive is used for use as follows:

Principal ingredient

1. Hygromychi B.....

a. Hygromycln B. b. Hygromych B.

Indications for use	§ 121,232(d), 1toms 1.1, 2.1, 4.1; § 121,233(d),	4.1; § 121.252(d), tioms 1.1, 2.1, 4.1, Treatment of chronic respira-	- H	100
Limitations	10-100 § 121.232(d), Itoms 1.1, 2.1, 4.1; § 121.233(d), Itoms 1.1, 2.1, 4.1; § 121.262(d),		For chicks, in starter ra- tion; as bacitracia, baci-	tracin metrylone disa- licylate, or zino bacitra- cin 121.208(d), table 1, items
Grams per ton	l	100	100	50-100
	8.0-12.0 Baoltracin	8.0-12.0 Backtacin	8.0-12.0 Bacitracin	8.0-12.0 Chlortetracycline
Grams per ton	ł			
Principal ingredient Grams per Combined with-	k, Hygromyeln B.	l, Hygromyoln B.	m. Hygromycin B.	n, Hygromycin B.
less specific- lations, the	ot be mixed ingredients. es specify a	he principal item is au- ingredient"	to the addi- s section and the ingredi- n any other tion.	or intended

- 1	4	Ö		o o			- 2		E		
cere Swine Feed	Limitations	For swine; withdraw 48 hours prior to slaughter.		For swine; as tylosin phos- phate; continuous, as follows:	Animal Amount weight of tylosin in feed	. t.	Withdraw 48 hours prior to slaughter. For swine; as, chiortetra-	eychine nydrochioride, withdraw 48 hours prior to slaughter.	For swine; as chlortetracy-	withdraw 48 hours prior to slaughter.	-
B IN COMP.	Grams per ton	 		10-100	_	,	50-100		100-200		
зье 2—Нувномуси	Combined with-			Tylosin		,	Chlortetracycline:	\	Chlortetracycline.		
T.	Grams per ton	12.0		12.0			12.0		12.0		
-	Principal ingredient	l, Hygromycin B	,	a. Hygromycin B.			' b. Hygromycln B.		c. Hygromycin B.	-	
200 101 000	Control of infesta- tion of large roundworms	(Ascarts galli), cecal worms (Heterakis gal- lines), and	(Capillary Worms (Capillaria obsignata), Growth promotion and feed effi-		-	, Ъо,	Growth promotion and feed efficiency.	Do.	Do. Do.	\$ 121.256(d), table 1 items 1.1, 3.2, 10.1,	\$ 121.256(d), table 1 items 2.1, 5.1, 6.1, 8.1.
			As procaine penicillin	Not less than 0.6 gm, of penicillin nor less than 3 gm, of bactraein nor more than 50 gm, in	combination; as pro- caine penicilin plus baci- tracin, bacitracin meth- ylene disalicylate, man- ganese bacitracin, or	zine bacitracin. Not less than 2.4 gm, of pendellin nor less than 12 gm, of streptomycin nor more than 50 gm, in combination; as pro-	tracin sulfate. For broiler chickens; 3.2— 60 gm, of combination containing a ratio of 1.2 parts of penjoillin to 2	parts or tytosin; as pro- caine pencillin plus ty- losin phosphate. As bactracin, bactracin methylene disalicylate, manganese bactracin,	or zinc bacitracin. As streptomycin sulfate As chlortetracycline hydroloride.		§ 121.256(d), table 1, items 2.1, 5.1, 6.1, 8.1.
per ton			2.4-50	3.6-50	-	14. 4-50	3.2-50	4-50	30-20	10-100	22. 5-90
- marit pomormoo	7	,	Penicillin	Penicillin plus backracin.		Penicilin plus streptomycin,	Penfellin plus tylosin,	Bacitracin	Streptomycin Oblortetracycline.	Penicillin plus bacitracin.	Penicillin plus streptomycin.
ton	8.0-12.0		8.0-12.0	8.0-12.0	-	8.0-12.0	8.0-12.0	8.0-12.0	8.0-12.0 8.0-12.0	8.0-12.0	8.0-12.0
	per ton	per ton Control of infesta-front frams per Combined with Grams per ton ton of large ton ton dependent to ton to ton of large ton of large ton ton of large ton ton of large ton ton of large ton of large ton ton of large ton ton of large ton of large ton ton of large ton	per ton Def ton	Table 2—Hygnolyten B in Courters Swine Feed Countries of infestation of infestati	Perform por fon Countrol of infesta- Control of infesta- tion of large a countrol	Pentoliin plus 8.6-60 Not less than 0.6 gm, of backtrach nor trans. Desiration and trans. Pentoliin plus 8.6-60 Interest particular and control or interest particular point of trans. Do, trans. Desiration as perton and treed efficient and control in the particular and control in the pentoliin plus 8.6-60 Not less than 0.6 gm, of backtrach nor trans. Do, trans. Desiration as pentoliin plus as problems. Do, trans. Desiration matched efficient as pentoliin plus as pentiling plus backtrach nor trans. Desiration matched efficient as pentiling plus backtrach match. Do, trans. Desiration matched and trans. Desiration matched and transfer and	Periodili pius S. 6-60 Not less than 0.6 gm, of patchellin pius streptomycin B. 14-60 Not less than 2.4 gm, beditaedin pius at the protein professional professio	Peniciliin plus 8.6-50 Not less than 0.6 gam, or bacteredin. Since peniciliin plus servetory can be penicilii plus servetory can be penicili plus servetory can be penicilii plus servetory can be penicili plus servetory can be penicilii plus servetory can be	Periodilin plus 8.2-40 As proteins partial in continuing a street containing a street	Periodilin plus 8-60 As proceine pendellin month pentent and pentent periodicary of the section	Periodilin plus 8.6-0 Not hear than 0.6 pm. 1 Ayronycin B. 12.0 Combined with Combined

c. Hygromycln B.

}

d. Hygromych B.

Maintenance of weight gain in presence of atrophic rimitis; reduction of recuted absenses; prevention of bacterial system entertits. Treatment of bacterial system entertits.

Hygromych B.

Hygromych B. Hygromych B. Hygromycin B.

o. Hygromych B.

- (e) To assure safe use, the label and labeling of the additive, any combination of the additives, and any feed additive supplement, feed additive concentrate, feed additive premix, or complete feed prepared therefrom shall bear, in addition to the other information required by the act, the following:
- (1) The name of the additive or additives.
- (2) A statement of the quantity or quantities contained therein, except that the label of the complete feed need not bear the quantities of the antibiotic drugs added solely for growth promotion.
- (3) Adequate directions and warnings for use.
- e. Section 121.225(a)(3)(v) is amended to read:
- § 121.225 Antibiotics for growth promotion and feed efficiency.
 - (a) * * * * (3) * * *
- (v) With tylosin phosphate in the feed of chickens, in an amount not less than 3.2 grams nor more than 50 grams of the combination per ton of complete feed. It is combined in a ratio of 1.2 parts of penicillin to 2.0 parts of tylosin.
- (Sec. 409(c)(1), 72-Stat. 1786; 21 U.S.C. 348(c)(1))

§ 121.232 [Amended]

f. Section 121.232 Bacitracin is amended in the table in paragraph (d) by changing the cross-reference paragraph designation from (c) to (d) in items 1.2a., 2.2c., 4.2a., 6.2c., 6.2d., 7.2a., and 7.2b.

§ 121.233 [Amended]

g. Section 121.233 Zinc bacitracin is amended in the table in paragraph (d) by changing the cross-reference paragraph designation from (c) to (d) in items 1.2a., 2.2c., 4.2a., 6.2c., 6.2d., 7.2a., and 7.2b.

§ 121.252 [Amended]

h. Section 121.252 Bacitracin methylene disalicylate is amended in the table in paragraph (d) by changing the cross-reference designation from (c) to (d) in items 1.2a., 2.2c., 4.2a., 6.2a., and 7.2c.

2. Under the authority vested in the Secretary of Health, Education, and Welfare, by the Federal Food, Drug, and Cosmetic Act (sec. 507(c), 59 Stat. 463 as amended; 21 U.S.C. 356(c)), and delegated to the Commissioner of Food and Drugs by the Secretary, the Commissioner finds that animal feeds containing combinations of procaine penicillin and tylosin phosphate with either amprolium or zoalene or tylosin phosphate with hygromycin B and zoalene need not comply with the requirements of section 507 of the Federal Food, Drug, and Cosmetic Act in order to insure their safety and efficacy when used as prescribed in Part 121, Subpart C. Therefore, § 146.26 Animal feed containing certifiable antibiotic drugs is amended by adding to

(e) To assure safe use, the label and paragraph (b) a new subparagraph (59), beling of the additive, any combination as follows:

§ 146.26 Animal feed containing certifiable antibiotic drugs.

(59) It is a medicated feed for chickens containing penicillin, tylosin phosphate, and either amprolium or zoalene, or hygromycin B and zoalene, in the amounts and for the purposes indicated in § 121,207, 121,210, or 121,213 of this chapter, and its labeling bears adequate directions and warnings for such use; Provided, however, That such medicated complete feed has been prepared from a concentrated penicillin-tylosin phosphate-amprolium, or penicillin-tylosin phosphate-zoalene, or penicillin-tylosin phosphate-zoalene-hygromycin B medicated feed containing, per ton of feed, not more than 200 grams of tylosin and either not more than 0.05 percent amprolium or not more than 0.0375 percent zoalene, or not more than 0.0375 percent zoalene and not more than 32 grams per ton of hygromycin B. If the medicated feed is prepared from a product that contains more than any of the specified quantities, it is exempt from certification only under the condition that there has been submitted to the Commissioner, in triplicate, adequate information of the kind described in § 146.7 to establish the safety and efficacy of the article and to guarantee its identity, strength, quality and purity. The exemption shall expire at the beginning of any act changing the composition or labeling of such drug, or the methods used in and the facilities and controls used for its manufacturing, processing, and packaging, or in its labeling, unless the person who obtains the exemption has submitted to the Commissioner, in triplicate, amended information that describes such proposed changes, and such amendment has been accepted by the Commissioner.

* * * * (Sec. 507(c), 59 Stat. 463; 21 U.S.C. 357(c))

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the Federal Register.

(Secs. 409(c)(1), 507(c), 72 Stat. 1786; 29 Stat. 463 as amended; 21 U.S.C. 348(c)(1), 357(c))

Dated: August 25, 1964.

John L. Harvey, Deputy Commissioner of Food and Drugs.

[F.R. Doc. 64-8799; Filed, Aug. 31, 1964; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter Il—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Westchester Creek, New York

Pursuant to the provisions of section 5 of the River and Harbor Act approved August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.156 is hereby prescribed to govern the operation of the Bruckner Expressway Bridge across Westchester Creek, New York, effective 30 days after publication in the Federal Register, as follows:

§ 203.156 Westchester Creek, N.Y.; City of New York Bridge at Bruckner Expressway.

(a) The owner of or agency controlling the bridge shall provide the appliances and personnel necessary for the safe, prompt, and efficient operation of the draw for the passage of vessels.

(b) Vessels owned, controlled, or employed by the United States Government, State Government, or by municipal departments shall be passed without delay through the draw of the bridge at any time, day or night, after giving a signal of four distinct blasts of a horn, whistle or megaphone.

(c) All other vessels unable to pass under the closed bridge shall be passed through the draw of the bridge at any time, day or night, after giving a signal of three distinct blasts of a horn, whistle or megaphone, repeated at intervals when necessary until answered from the bridge, except between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m., Mondays through Fridays, inclusive.

(d) Upon receiving the signal from the vessel, the operator of the bridge, in case the draw can be opened immediately shall reply by three blasts of a horn, whistle or megaphone. In case of accident to the machinery or other contingency necessitating delay in opening of the draw, the signal from the vessel shall be answered by the operator of the bridge by two blasts of a horn, whistle or megaphone.

(e) Pedestrians and vehicles shall not be stopped on the bridge for the purpose of delaying its opening, nor shall watercraft of vessels be so manipulated as to hinder or delay the operation of the drawspan, but all passage over, through, or under the bridge shall be prompt, to prevent delay to either land or water traffic.

(f) Clearance gages of a type to be approved by the District Engineer, U.S. Army Engineer District, shall be provided and kept in good legible condition. Unless otherwise specified, such clearance gages shall consist of two board gages painted white with black figures not less than nine inches high, which shall indicate the headroom clearances under the closed span at all stages of the tide. These gages shall be so placed that they will be plainly visible to the operator of a vessel approaching the bridge either upstream, or downstream, and shall be illuminated at night and during periods of decreased visibility caused by fog, rain or snow.

(g) The bridge shall not be required to open for craft carrying appurtenances unessential to navigation which extend above the normal superstructure nor for those vessels regularly and habitually navigating the waterway which may be or are equipped with hinged or removable stacks, masts and flagpoles which can be lowered to pass under the closed draw of the bridge. Upon request, the District Engineer, U.S. Army Engineer District, will cause inspection to be made of the superstructure and appurtenances of any craft habitually frequenting this waterway with a view to adjusting any differences of opinion in this regard between the vessel owner and the bridge

[Regs., Aug. 17, 1964, 1507-32 (Westchester Creek, New York)—ENGCW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 64-8841; Filed, Aug. 31, 1964; 8:47 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RE-LATING TO PARKS AND MONU-MENTS

Glacier National Park, Montana; Speed, Camping, Pets, and Domestic Animals

On page 6651 of the Federal Register of May 21, 1964, there was published a notice and text of a proposed amendment to § 7 of Title 36, Code of Federal Regulations. The purpose of this amendment is to clarify truck speed regulations and delete unnecessary speed limits, delete outmoded camping limits; provide for quiet in campgrounds at night; prohibit housetrailers in Sprague Creek Campground; and provide necessary restrictions for control of domestic pets and pack and saddle animals on trails.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No

comments, suggestions, or objections have been received, and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

Paragraph (d) of § 7.3 is revised in its entirety; paragraph (e) is amended; paragraph (f) is deleted, and new paragraphs (h) and (i) are added thereto to read as follows:

§ 7.3 Glacier National Park.

(d) Speed. The maximum speed of all trucks and busses of 1½ ton capacity or over and all vehicles towing other vehicles, including, but not limited to housetrailers, is limited to 35 m.p.h., except when a lesser limit is posted by official signs.

(e) Camping. (1) Quiet shall be maintained in the park, between the hours of 10:00 p.m., and 6:00 a.m. During these hours, one may not use any noise-producing device, including but not limited to motors, television sets, and radios, at campgrounds, or use any such noise-producing device to the annoyance of others in hotels and other buildings.

(2) Housetrailers. Housetrailers, including any wheeled vehicle designed to be towed, which contain sleeping accommodations for one or more persons, are prohibited in Sprague Creek Campground.

(f) Mufflers. [Deleted]

(h) Dogs, cats, and domestic pets. Dogs, cats, and other domestic pets are prohibited on all trails.

(i) Pack and saddle animals. Pack and saddle animals are prohibited on trails when posted by official signs.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

Keith Neilson, Superintendent, Glacier National Park.

[F.R. Doc. 64-8843; Filed, Aug. 31, 1964; 8:47 a.m.]

PART 7—SPECIAL REGULATIONS RE-LATING TO PARKS AND MONU-MENTS

Rocky Mountain National Park, Colorado; Fishing and Trucking

On page 6348 of the Federal Register of May 14, 1964, there was published a notice and text of a proposed amendment to § 7.7 of Title 36, Code of Federal Regulations. The purpose of this amendment is to revise certain fishing regulations to conform more closely to those of the State of Colorado and to control commercial trucking operation on park roads.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections

have been received, and the proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

GRANVILLE B. Liles,
Superintendent,
Rocky Mountain National Park.

Paragraphs (b) and (e) of § 7.7 are amended to read as follows:

§ 7.7 Rocky Mountain National Park.

(b) Fishing. * * *

(2) Elsewhere in the park, fishing shall be permitted in conformity with the laws and regulations of the State of Colorado, except for the following additional provisions:

(i) In all waters above 9,500 feet elevation, the open season for fishing shall be June 1 through October 31.

(ii) Permissible hours for fishing in all open waters shall be from 4:00 a.m. to

9:00 p.m., m.s.t.

(iii) [Deleted] (iv) [Deleted]

(v) [Deleted]

(e) Trucking. (1) The Park Superintendent may issue permits for the use of park roads for trucking by ranchers, farmers, and business concerns located in the counties of Larimer, Boulder and Grand, Colorado, when the loads carried originate and terminate within these counties, for which fees shall be charged. For applicable fees, see Part 6 of this chapter.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

[F.R. Doc. 64-8842; Filed, Aug. 31, 1964; 8:47 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER C—UNINSPECTED VESSELS
[CGFR 64-49]

PART 24—GENERAL PROVISIONS Subpart 24.15—Equivalents

CANADIAN PLEASURE CRAFT TEMPORARILY USING UNITED STATES WATERS

The Motorboat Act of 1940, as amended, in sections 526 to 526u, inclusive, in Title 46, U.S. Code, applies to all motorboats and certain mechanically propelled vessels on the navigable waters of the United States, Guam, Virgin Islands, the Commonwealth of Puerto Rico, and the District of Columbia and every motorboat or vessel owned in a State and using the high seas (46 U.S.C. 526u). This Act makes no distinction in its application between motorboats and vessels, as described therein, which are either owned in foreign countries or owned in the United States, when on the navigable waters of the United States. On the other hand, section 3 of the Fed-

eral Boating Act of 1958 (46 U.S.C. 527a) specifically exempts from the numbering provisions in that Act those foreign motorboats and vessels which are temporarily using the navigable waters of the United States. With respect to commercial motorboats and vessels, the inspection laws provide for reciprocity in the inspections of foreign and domestic vessels when carrying specified valid certificates. The inspection laws provide certain safety standards for foreign vessels carrying passengers (46 U.S.C. 362, 367, 390c, 882) and for foreign vessels carrying combustible or inflammable cargoes in bulk (46 U.S.C. 391a), but such vessels when carrying specified valid certificates recognized under law or treaty by the United States are examined primarily to determine compliance with such certificates rather than requiring the detailed inspections provided under United States laws and regulations. With regard to lifesaving equipment, firefighting equipment and precautionary measures guarding against fires on foreign vessels (46 U.S.C. 481), the approval of prescribed equipment by the Coast Guard (46 U.S.C. 489) is not required, but rather examinations of such equipment may be madé to determine if in satisfactory condition and in compliance with requirements of the foreign country to which the vessel belongs.

The Motorboat Act provides that motorboats and certain other vessels described therein shall carry specified types of equipment, i.e., lights, bells, life preservers, fire extinguishers, etc.; and section 17 states in part: "The Commandant of the Coast Guard shall establish all necessary regulations required to carry out in the most effective manner all the provisions of this Act, and such regulations shall have the force of law. * * *"

(46 U.S.C. 526p).

The laws of the Dominion of Canada and the regulations of the Department of Transport, Ottawa, Canada, have been reviewed. It has been determined that (1) Canada exempts from its equipment requirements, those pleasure craft (uninspected motorboats and vessels) which are registered or licensed elsewhere than in Canada if such pleasure craft comply with the laws and regulations of the country in which they are registered or licensed when such craft are temporarily using Canadian waters and have the required Customs permit; and (2) those pleasure craft (uninspected motorboats and vessels) owned in Canada are required by the laws of the Dominion of Canada and the regulations of the Department of Transport to have equipment carried which generally parallel the basic requirements of the Motorboat Act of 1940 and regulations prescribed thereunder for uninspected motorboats and vessels, as well as other additional requirements.

The purpose of the regulation designated 46 CFR 24.15-5, as set forth in this document, is to formalize and recognize reciprocity arrangements with Canada for equipment on uninspected motorboats and vessels, and publish a finding that the Canada Shipping Act, Small

Vessels Regulations of the Dominion of Canada and the regulations of the Department of Transport, Ottawa, Canada, contain requirements which generally parallel those in the Motorboat Act of 1940 (46 U.S.C. 526-526a) and the regulations prescribed thereunder as they relate to pleasure craft (uninspected vessels) in the Coast Guard pamphlet "Rules and Regulations for Uninspected Vessels" (CG-258) in 46 CFR Parts 24 to 26, inclusive (Subchapter C-Uninspected Vessels). Therefore, theCanadian pleasure craft (uninspected motorboats and vessels), which temporarily use navigable waters of the United States and are equipped in accordance with the laws and regulations of Canada will not be required to meet the specific equipment requirements in the Motorboat Act and the regulations prescribed thereunder, but will be accepted as being equivalent thereto and hence in compliance with United States requirements.

Because the regulation designated 46 CFR 24.15-5 in this document is a statement of general policy based on an interpretation of law and describes a practice followed by the Coast Guard, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule-making, public rule-making procedures thereon, and effective date requirements) is unnecessary and exempted by specific provision in section 4 of that Act (5 U.S.C. 1003).

By virtue of the authority vested in me as Commandant, United States Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Order 120, dated July 31, 1950 (15 F.R. 6521), as well as by the authorities specifically listed with the regulation below, the fol-

lowing actions are ordered:

1. Canadian pleasure craft (uninspected motorboats and vessels) in compliance with the laws and regulations of Canada while temporarily using the navigable waters of the United States will be deemed to be in compliance with the equipment requirements in the Motorboat Act (46 U.S.C. 526-526u) and the applicable regulations in 46 CFR Parts 24 to 26, inclusive (Subchapter C-Uninspected Vessels), which are also in the pamphlet "Rules and Regulations for Uninspected Vessels" (CG-258); and,

2. Effective upon date of publication in the Federal Register, Part 24 is amended by inserting after § 24.15–1 a new § 24.15–5 reading as follows:

§ 24.15-5 Canadian pleasure craft temporarily using navigable waters of the United States.

(a) Uninspected Canadian pleasure craft (uninspected vessels) temporarily using navigable waters of the United States may carry in lieu of the equipment required by the Motorboat Act of 1940 (46 U.S.C. 526-526u) and the regulations in this subchapter, the equipment as required by the laws of the Dominion of Canada and the regulations of the Department of Transport, Ottawa, Canada.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p. Treasury Department Orders

120, July 31, 1950, 15 F.R. 6521; 167-32, September 23, 1958, 23 F.R. 7605)

Dated: August 27, 1964.

[SEAL] P. E. TRIMBLE,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 64-8865; Filed, Aug. 31, 1964; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10-MIGRATORY BIRDS

Seasons and Limits on Gallinules, Rails, Woodcock, and Wilson's Snipe

Section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 704), authorizes and directs the Secretary of the Interior, from time to time, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds, to determine when, to what extent, and by what means, such birds or any part, nest, or egg thereof, may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

By notice of proposed rule making published in the FEDERAL REGISTER on May 6, 1964 (29 F.R. 5957), notification was given that the Secretary of the Interior proposed to amend Part 10, Title 50, Code of Federal Regulations to specify open seasons, certain closed seasons, shooting hours, bag and possession limits, hunting methods, and possession, transportation, and importation controls for migratory game birds, and all interested persons were invited to submit their views, data, or arguments regarding proposed amendments in writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., within 30 days following publication of the Notice.

Subsequently, after due consideration of population status data and all comments received, regulations were adopted by publication in the Federal Register of August 4, 1964 (29 F.R. 11184), which established open season dates, shooting hours, and bag and possession limits for the hunting of certain migratory game birds including rails, gallinules, and Wilson's snipe.

These regulations provided that when the opening day of the hunting season for rails, gallinules, and Wilson's snipe was concurrent with the opening day of duck season in any State, the shooting hours on opening day would be from 12 o'clock noon until sunset, to correspond with contemplated shooting hours for ducks on opening day.

RULES AND REGULATIONS

Subsequently, it was determined that shooting hours for ducks on the opening day of the season in States in the Mississippi and Central Flyways would be from sunrise until sunset. Therefore, it has been determined that Part 10 shall be amended as set forth below to permit the hunting of rails, gallinules, and Wilson's snipe from sunrise until sunset on the opening day of the season.

Since these amendments benefit the public by relieving existing restrictions, they shall become effective upon publication in the Federal Register.

Paragraphs (b) and (c) of § 10.46 are amended to read as follows:

§ 10.46 Seasons and limits on gallinules, rails, woodcock, and Wilson's snipe. *

(b) Mississippi Flyway States.

,	Rails and Gallinules (except coots)	Woodcock	Wilson's snipe
Dally bag limitPossession limit	15 30	5 10	- 8 - 16
Shooting hours	Sunrise until sunset on	all species.	
Seasons in: Alabama ¹ Arkansas Illinois ¹ Indiana Iowa ² Kentucky Louisiana Michigan—zones 1 and 2, zone 3 Minnesota Mississippi Missouri Ohlo Tennessee ¹ Wisconsin ¹	Closed season. Nov. 19-Jan. 7 Oct. 3-Nov. 21 See footnote 1 Sept. 19-Nov. 7 Oct. 1-Nov. 19 Sept. 1-Oct. 20	Nov. 19-Jan. 7 Nov. 26-Jan. 14 Oct. 1-Nov. 10 Oct. 20-Nov. 14 Sept. 19-Nov. 7 Nov. 27-Jan. 15 Oct. 1-Nov. 19	Nov. 27-Jan. 15 Nov. 27-Jan. 15 See footnote 1. Oct. 10-Nov. 28. See footnote 2. Nov. 19-Jan. 7. Nov. 26-Jan. 14. See footnote 1. Sept. 19-Nov. 7. Nov. 27-Jan. 15. Oct. 1-Nov. 19. Oct. 1-Nov. 19. Nov. 23-Jan. 11. See footnote 1.

¹Season will open and run concurrently with the open season for ducks in the State: Provided, That the open season shall not extend beyond the last day of the duck season or 50 consecutive days, whichever is the shorter period.

2 Season will open concurrently with the first day of the open season for geese in the State and will run for 50 consecutive days.

3 CHECK STATE REGULATIONS FOR ADDITIONAL RESTRICTIONS!

(c) Central Flyway States,

	Rails and Gallinules (except coots)	Woodcock	Wilson's snipe
Daily bag limitPossession limit	15 30	5 10	8 ,
Shooting hours	Sunrise until sunset on all species.		
Seasons in: Colorado. Kansas. Montana. Nebraska. New Mexico. North Dakota ¹ . Oklahoma. South Dakota. Texas. Wyoming.	Sept. 1-Oct. 20	Closed season	Sept. 1-Oct. 20. Oct. 3-Nov. 21. Closed season. Oct. 3-Nov. 21. Sept. 1-Oct. 20. See footnote 1. Nov. 1-Dec. 20. Sept. 1-Oct. 20. Nov. 27-Jan. 15. Closed season.

¹ Season will open concurrently with the first day of the open season for ducks in the State and will run for 50 consecutive days.

(Sec. 3, 40 Stat. 755, as amended; 16 U.S.C. 704; E.O. 10250, 16 F.R. 5385, 3 CFR 1949-1953 Comp. p. 757)

> FRANK J. BARRY, Acting Secretary of the Interior.

AUGUST 26, 1964.

[F.R. Doc. 64-8845; Filed, Aug. 31, 1964; 8:47 a.m.]

PART 32—HUNTING

Willamette National Wildlife Refuge, Oregon

The following special regulation is issued and is effective on date of publication in the Federal Register.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

OREGON

WILLAMETTE NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Willamette National Wildlife Refuge is permitted on lands as posted within the Muddy Creek Unit from September 2 through November 29, 1964. Additional information may be obtained at Refuge Headquarters on Bellfountain Road, approximately ten miles south of Corvallis, Oregon, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oreg., 97208. Hunting shall be in accordance with all applicable State regulations subject to the following special condition:

1. All hunters will check in and out of Refuge Headquarters located on Bellfountain Road, approximately 10 miles south of Corvallis, Oreg.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50. Code of Federal Regulations, Part 32, and are effective through November 29. 1964.

> ABRAM, V. TUNISON, Acting Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 28, 1964.

[F.R. Doc. 64-8891; Filed, Aug. 31, 1964; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service
[7 CFR Parts 1103, 1105]
[Docket Nos. AO-346, AO-297-A5]

MILK IN SOUTHERN MISSISSIPPI AND MISSISSIPPI DELTA MARKETING AREAS

Notice of Hearing on Proposed Marketing Agreement and Order and Amendment to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at Hotel Heidelberg, 131 East Capitol Street, Jackson, Miss., beginning at 10:00 a.m., local time, on October 12, 1964, with respect to a proposed marketing agreement and order, regulating the handling of milk in the Southern Mississippi marketing area and proposed amendment to the tentative marketing agreement and to the order, regulating the handling of milk in the Mississippi Delta marketing

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the proposed marketing agreement and order for the Southern Mississippi marketing area, hereinafter set forth, and any appropriate modifications thereof; and for the purpose of determining (1) whether the handling of milk in the area proposed for regulation is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects interstate or foreign commerce, (2) whether there is need for a marketing agreement or order regulating the handling of milk in the area, and (3) whether provisions specified in the proposals or some other provisions apropriate to the terms of the Agricultural Marketing Agreement Act of 1937, as amended, will tend to effectuate the declared policy of the Act.

This public hearing is also held for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendment to the Mississippi Delta order, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

SOUTHERN MISSISSIPPI ORDER

Proposed by Mississippi Milk Producers Association and Gulf Milk Association, Inc.:

Proposal No. 1.

DEFINITIONS

§ 1103.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 1103.2 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 1103.3 Department.

"Department" means the U.S. Department of Agriculture or any other Federal agency authorized to perform the price reporting functions specified in this part.

§ 1103.4 Person.

"Person" means any individual, partnership, corporation, association or any other business unit.

§ 1103.5 Cooperative association.

"Cooperative association" means any cooperative marketing association which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketers members.

§ 1103.6 Southern Mississippi marketing area.

"Southern Mississippi marketing area", hereinafter called the "marketing area", means all the territory within the boundaries of the counties of Adams, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, Hinds, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Madison, Marion, Neshoba, Newton, Perry, Rankin, Scott, Simpson, Smith, Walthall, Warren, and Wayne, all in the State of Mississippi, including all territory within such boundaries occupied by Government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments plus all territory within Harrison County, Miss., occupied by the Keesler Air Force Base military installation.

§ 1103.7 Route disposition.

"Route disposition" means any delivery of a fluid milk product from a plant to wholesale or retail outlets (including any delivery by a vendor, from a plant store or through a vending machine) other than a delivery to a plant.

\$ 1103.8 Plant

"Plant" means the land and buildings together with their surroundings, facili-

ties and equipment whether owned or operated by one or more persons, constituting a single operating unit or establishment at which milk or milk products are received and/or processed or packaged: Provided, That a separate establishment or facility used only for the purpose of transferring bulk milk from one tanktruck to another tanktruck, or only as a distributing depot for fluid milk products in transit for route disposition shall not be a plant under this definition.

§ 1103.9 Distributing plant.

"Distributing plant" means a plant from which fluid milk products, eligible for distribution under a Grade A label are disposed of during the month as route disposition in the marketing area.

§ 1103.10 Supply plant.

"Supply plant" means a plant from which fluid milk products, eligible for distribution under a Grade A label, are moved during the month to a distributing plant.

§ 1103.11 Pool plant.

"Pool plant" means:

(a) A distributing plant other than the plant of a producer-handler, from which a volume of Class I milk not less than 50 percent of the Grade A milk received at such plant from dairy farmers is disposed of during the month as route disposition and the volume so disposed of in the marketing area is at least 20 percent of its total Class I route disposition or a daily average of 4300 pounds, whichever is less;

(b) A supply plant from which a volume of fluid milk products not less than 50 percent of the Grade A milk received at such plant from dairy farmers is transferred during the month to a distributing plant(s) from which a volume of Class I milk not less than 50 percent of its receipts of Grade A milk from dairy farmers and from other plants is disposed of as route disposition during the month and the volume so disposed of in the marketing area is at least 20 percent of its total Class I route disposition or a daily average of 4.300 pounds. whichever is less: Provided, That any plant which was a pool plant pursuant to this paragraph in each of the months of September through January shall be a pool plant in each of the following months of February through August in which it does not meet the shipping requirements unless written request is filed with the market administrator prior to the beginning of any such month for nonpool status for the remaining months through August; and

(c) A nondistributing plant, which is operated by a cooperative association and which does not meet the shipping requirements of paragraph (b) of this section, in any month in which the volume of milk received at pool distributing plants directly from member producers of such cooperative association is not

less than 60 percent of the total pounds of such association's member producer milk (including that received at such nondistributing plant), received by all pool handlers during the month, except that on written request for nonpool status for any month, made to the market administrator prior to the beginning of such month, the plant shall be a nonpool plant for the month and for each of the succeeding 11 months in which it does not qualify as a pool plant pursuant to paragraph (b) of this section.

§ 1103.12 Nonpool plant.

"Nonpool plant" means any milk receiving, manufacturing, or processing plant other than a pool plant. The following categories of nonpool plants are further defined as follows:

(a) "Other order plant" means a plant that is fully subject to the pricing and pooling provisions of another order

issued pursuant to the Act.

(b) "Producer-handler plant" means a plant operated by a producer-handler as defined in any order (including this part) issued pursuant to the Act.

- part) issued pursuant to the Act.

 (c) "Partially regulated distributing plant" means a nonpool plant that is neither an other order plant nor a producer-handler plant, from which fluid milk products labeled Grade A in consumer-type packages or dispenser units are disposed of as route disposition in the marketing area during the month.
- (d) "Unregulated supply plant" means a nonpool plant from which fluid milk products eligible for distribution in the marketing area under a Grade A label are moved to a pool plant during the month, but which is neither an other order plant nor a producer-handler plant.

§ 1103.13 Handler.

(a) Any person in his capacity as the operator of a pool plant;

(b) Any person in his capacity as the operator of a partially regulated distrib-

uting plant;

- (c) A cooperative association with respect to milk of producers diverted for the account of such association from a pool plant to a nonpool plant in accordance with § 1103.15;
- (d) Any person in his capacity as the operator of an unregulated supply plant; and
- (e) A producer-handler, or any person who operates an other order plant pursuant to § 1103.61.

§ 1103.14 Producer-handler.

"Producer-handler" means any person who operates a dairy farm and a distributing plant which, during the month, received no other source milk (except own production), producer milk, or milk from a pool plant: Provided, That such person establishes that the maintenance, care and management of all resources necessary to produce the entire volume of fluid milk products handled and all facilities necessary for operations as a handler are each the personal enterprise and risk of such persons.

§ 1103.15 Producer.

"Producer" means any person, other than a producer-handler as defined in

any order (including this part) issued pursuant to the Act, who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority, which milk is received during the month at a pool plant or is diverted pursuant to paragraphs (a) through (e) of this section: Provided, That milk diverted in accordance with the provisions of said paragraphs shall be deemed to have been received by the diverting handler at the location of the pool plant from which it was diverted and: Provided further, That if a handler diverting milk pursuant to paragraph (d) or (e) of this section, diverts in excess of the limits prescribed all diversions by such handler during the month shall be pursuant to paragraph (c) and: Provided also. That if a handler diverting milk pursuant to paragraph (b) or (c) of this section, diverts milk of any dairy farmer in excess of the limits prescribed, such dairy farmer shall be a producer only with respect to that milk physically received at a pool plant:

(a) Diverted by the operator of a pool

plant to another pool plant;

(b) Diverted to a nonpool plant(s) (except a plant at which such milk is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act) by the operator of a pool plant or by a cooperative association as a handler pursuant to § 1103.13(c) during any of the months of December through August: Provided, That this diversion privilege shall be applicable only to the milk of those dairy farmers who held producer status throughout the entire two immediately preceding months, except that only for the purpose of determining eligibility for diversion during any month of December through August a dairy farmer who was in noncompliance with the Grade A requirements of a duly constituted health authority during any part of the two immediately preceding months shall be considered to have maintained producer status during the period of such noncompliance;

(c) Diverted to a nonpool plant(s) (except a plant at which such milk is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act) for not more than 10 days' production during any month of September through November except that this paragraph shall not be applicable if (1) in the case of a cooperative association all of the diversions of milk of member producers by such cooperative association during the month fall within the limits prescribed in paragraph (d) of this section, or (2) in the case of a pool handler (other than a cooperative association) diverting milk of nonmember producers, all of such diversions from such plant fall within the limits prescribed in paragraph (e) of this

(d) Diverted during any month of September through November to a non-pool plant(s) (except a nonpool plant at which such milk is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act) as milk of a member of a cooperative association for the account of such association

if the amount of milk so diverted does not exceed 15 percent of the volume of Grade A milk from all producer members of such cooperative association received at pool plants during such month; or

(e) Diverted during any month of September through November to a nonpool plant(s) (except a nonpool plant at which such milk is fully subject to the pricing and pooling provisions of another order issued pursuant to the Act) as milk of a producer who is not a member of a cooperative association by a handler in his capacity as the operator of a pool plant from which the quantity of molecular molecular producers so diverted does not exceed 15 percent of the total Grade A receipts of milk at such plant from nonmember producers.

§ 1103.16 Produced milk.

"Producer milk" means only the skim milk or butterfat contained in milk (a) received at a pool plant(s) directly from producers, or (b) diverted in accordance with the provision of § 1103.15 from a pool plant to another pool plant or to a nonpool plant.

§ 1103.17 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

- (a) Receipts during the month in the form of fluid milk products, except (1) such products which are received from other pool plants, (2) producer milk, and (3) inventory of fluid milk products at the beginning of the month; and
- (b) Products other than fluid milk products, from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month or for which other utilization or disposition is not established.

§ 1103.18 Fluid milk product.

"Fluid milk product" means all the skim milk (including concentrated and reconstituted skim milk) and butterfat in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, eggnog, yogurt, cream (sweet or sour), and any mixture in fluid form of cream and skim milk or milk (except aerated cream, frozen storage cream, ice cream, ice cream mixes, frozen ice milk, ice milk mixes, frozen dessert, and mixes, and sterilized products contained in hermetically sealed containers): Provided, That when any such product is fortified with nonfat milk solids the amount of skim milk to be included within this definition shall be only that amount equal to the weight of skim milk in an equal volume of an unfortified product of the same nature and butterfat content.

§ 1103.19 Chicago butter price.

"Chicago butter price" means the simple average, as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any range as one price) per pound of 92-score bulk creamery butter at Chicago as reported during the month by the Department.

MARKET ADMINISTRATOR

§ 1103.20 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

§ 1103.21 Powers.

The market administrator shall have the following powers with respect to this part:

- (a) To administer its terms and provisions;
- (b) To receive, investigate and report to the Secretary, complaints of violations;
- (c) To make rules and regulations necessary to effectuate its terms and provisions; and
- (d) To recommend amendments to the Secretary.

§ 1103.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to the following:

- (a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary, a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon, satisfactory to the Secretary;
- (b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;
- (c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;
- (d) Pay out of the funds provided § 1103.95, the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 1103.94) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;
- (e) Keep such books and records as will clearly reflect the transactions provided for in this part, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;
- (f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary:
- (g) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends:
- (h) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, after the date upon

acts, has not made reports of payments required by this part;

- (i) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropri-
- (1) On or before the 6th day of each month, the minimum price for Class I milk computed pursuant to § 1103.51(a) and the Class I butterfat differential computed pursuant to § 1103.52 (a), both for the current month and the minimum price for Class II milk computed pursuant to § 1103.51(b) and the Class II butterfat differential computed § 1103.52(b), both for pursuant the previous both for month;
- (2) On or before the 10th day after the end of each of the months of August through February, the uniform price computed pursuant to § 1103.71, and the butterfat differential computed pursuant to § 1103.91; and
- (3) On or before the 10th day after the end of each of the months of March through July, the uniform prices for base milk and for excess milk computed pursuant to § 1103.72, and the butterfat differential computed pursuant to § 1103.-
- (j) On or before the 12th day after the end of each month, report to each cooperative association which so requests, the percentage of producer milk delivered by members of such association, which was used in each class by each handler receiving such milk. For the purpose of this report, the milk so received shall be prorated to each class in accordance with the total utilization of producer milk by each handler;
- (k) Prepare and disseminate to the public such statistics and such information as he deems advisable and as do not reveal confidential information: and
- (1) On or before the 12th day after the end of each month, the market administrator shall mail to each handler, who submitted the report(s) prescribed in § 1103.30, at his last known address, a statement showing any of the applicable following values:
- (1) The amount and value of his producer milk in each class and the totals thereof;
- (2) For the months of March through July, the amounts of his base milk and excess milk, respectively; and
- (3) The amounts to be paid by such handler pursuant to §§ 1103.62(a), 1103.93(a), 1103.94(a), 1103.95, 1103.97 and 1103.99 and the amount due such handler pursuant to §§ 1103.93, 1103.98, and 1103.99;
- (m) Whenever required for purpose of allocating receipts from other order plants pursuant to § 1103.46(a) (8) and the corresponding step of § 1103.46(b), the market administrator shall estimate and publicly announce the utilization (to the nearest whole percentage) in each class during the month of skim milk and butterfat, respectively, in producer milk of all handlers. Such estimate shall be based upon the most current available data and shall be final for such purpose;
- (n) Report to the market administrator of the other order, as soon as possible after the report of receipts and utilization for the month is received from a

which he is required to perform such handler who has received fluid milk products from another order plant, the classification to which such receipts are allocated pursuant to § 1103.46 pursuant to such report, and thereafter any change in such allocation required to correct errors disclosed in verification of such report;

> (o) Furnish to each handler operating a pool plant who has shipped fluid milk products to an other order plant, the classification to which the skim milk and butterfat in such fluid milk products were allocated by the market administrator of the other order on the basis of the report of the receiving handler; and, as necessary, any changes in such classification arising in the verification of such report.

REPORTS, RECORDS, AND FACILITIES

§ 1103.30 Reports of receipts and utili-

- (a) On or before the 6th day after the end of each month each handler, for each of his pool plants, and each cooperative association which is a handler pursuant to § 1103.13(c) shall deliver to the market administrator a report in the detail and on the form prescribed by the market administrator showing the following:
- (1) The quantities of skim milk and butterfat contained in:
- (i) Receipts of producer milk, including such handler's own production, and for the months of March through July, the aggregate of base and excess milk, respectively:
- (ii) Receipts of fluid milk products from other pool plants;
- (iii) Receipts of other source milk;
- (iv) Inventories of fluid milk products on hand at the beginning and at the end of such month:
- (2) Utilization of all skim milk and butterfat required to be reported pursuant to this section including a statement of the route dispositions of fluid milk products outside the marketing area;
- (3) Such other information with respect to sources and utilization of skim milk and butterfat as the market administrator may prescribe;
- (b) Each handler specified in § 1103. 13(b) who operates a partially regulated distributing plant shall report as required in paragraph (a) of this section. except that receipts of Grace A milk from dairy farmers shall be reported in lieu of those in producer milk; such report shall include a separate statement showing the respective amounts of skim milk and butterfat disposed of on routes in the marketing area as Class I milk;
- (c) Each handler operating a nonpool supply plant shall make reports to the market administrator at such time and in such manner as the market administrator may préscribe; and
- (d) Each pool handler, with respect to fluid milk products disposed of for animal feed shall report to the market administrator such information and at such time as the market administrator may require.

§ 1103.31 Payroll reports.

(a) On or before the 20th day of each month each handler operating a pool plant(s) and each cooperative association which is a handler pursuant to § 1103.13(c) shall report its producer payroll for the preceding month which shall show for each producer:

(1) His name;

(2) The daily and total pounds of milk received from such producer and for the base-operating months of March through July the total pounds of base and excess milk, respectively;

(3) The number of days on which milk was received from such producer;

(4) The average butterfat content of such milk; and

(5) The net amount of such handler's payment, the price paid and the amount and nature of any deductions;

(b) Each handler who received producer milk for which payment is to be made to a cooperative association pursuant to § 1103.90(c) shall report to such cooperative association with respect to each such producer as follows:

(1) On or before the 20th day of each month, the total pounds of milk received during the first 15 days of the month;

(2) On or before the 10th day after the end of each month;

(i) The daily and total pounds of milk received during the month with separate totals for base milk and excess milk for the months of March through July, and the average butterfat test thereof; and

(ii) The amount or rate and nature of

any deductions; and

- (c) On or before the 20th day after the end of the month each handler operating a partially regulated distributing plant except one who elects at the time of reporting pursuant to § 1103.30 to make payments pursuant to § 1103.62 (b) shall report his payments to dairy farmers qualified to be producers as if such plant were a pool plant showing for each such dairy farmer:
 - (1) The pounds of milk received:

(2) The average butterfat content thereof: and

(3) The date and net amount of payment to such dairy farmer with a statement of the prices, deductions and charges used in computing such payment and the nature of each.

§ 1103.32 Other reports.

(a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator shall prescribe.

§ 1103.33 Records and facilities.

Each handler shall maintain and make available to the market administrator during the usual hours of business such accounts and records of his operations together with such facilities as are necessary for the market administrator to verify or establish the correct data for each month with respect to:

(a) The receipt and utilization of all skim milk and butterfat handled in any

form:

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream, and other milk products handled:

(c) The pounds of skim milk and butterfat continued in or represented by all milk, skim milk, cream, and milk products on hand at the beginning and end of each month: and

(d) Payments to producers, including any deductions authorized by producers and disbursement of money so deducted.

§ 1103.34 Retention of records.

All books and records required under this Part to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the calendar month, to which such books and records pertain: Provided/That if, within such 3-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specific books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 1103.40 Skim milk and butterfat to be classified.

All skim milk and butterfat required to be reported pursuant to § 1103.30 shall be classified pursuant to the provisions of §§ 1103.41 through 1103.47.

§ 1103.41 Classes of utilization.

Subject to the conditions set forth in §§ 1103.42 through 1103.47 the classes of utilization shall be as follows:

(a) Class I milk. Class I milk shall-

be all skim milk and butterfat:

(1) Disposed of in the form of fluid milk products, except those classified pursuant to paragraph (b) (2) and (3) of this section; and

(2) Not accounted for as Class II milk; and

(b) Class II milk. Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other

than a fluid milk product;

(2) Contained in skim milk dumped. provided that the market administrator is notified in advance and given opportunity to verify such dumping;

(3) Disposed of for livestock feed if the conditions of § 1103.30(d) are met;

(4) Contained in inventory of fluid milk products on hand at the end of the month;
(5) Contained in actual shrinkage of

skim milk and butterfat, respectively, not to exceed the amounts calculated for each pool plant as follows:

(i) Two percent of receipts of skim milk and butterfat directly from producers (excluding milk diverted to a nonpool plant pursuant to § 1103.15 (b) through (e)); plus

(ii) One and one-half percent of milk received in bulk from other pool plants;

plus (iii) One and one-half percent of receipts of fluid milk products in bulk from an other order plant, exclusive of the quantity for which Class II utilization was requested by the operator of such plant and the handler; plus

(iv) One and one-half percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class II utilization was requested by the handler; less

(v) One and one-half percent of bulk transfers and diversions to other pool

plants; less

(vi) One and one-half percent of bulk transfers to nonpool plants; plus

(vii) Shrinkage on other source milk determined pursuant to § 1103.42(b)(2); and

(6) Skim milk contained in any fortified fluid milk product in excess of the pounds of skim milk in such product classified as Class I pursuant to paragraph (a) of this section by virtue of the proviso of § 1103.18.

§ 1103.42 Assignment of shrinkage.

The market administrator shall assign shrinkage at each pool plant of a handler as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively, for such plant; and

(b) Prorate the resulting amounts between the skim milk and butterfat contained in:

(1) Receipts specified in § 1103.41(b)

(5) (i) through (iv); and

(2) Remaining receipts of other source milk in the form of fluid milk products in bulk.

§ 1103.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk unless the handler who first received such skim milk or butterfat can prove to the satisfaction of the market administrator that such skim milk or butterfat should be classified otherwise; and

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 1103.44 Transfers.

Skim milk or butterfat in the form of a fluid milk product shall be classified:

(a) At the utilization indicated by the operators of both plants, otherwise as Class I milk, if transferred or diverted from a pool plant to another pool plant subject in either event to the following conditions:

(1) The skim milk or butterfat so assigned to either class shall be limited to the amount thereof remaining in such class in the transferee plant after computations pursuant to § 1103.46(a) (8) and the corresponding steps of § 1103.46

(2) If the transferor plant received during the month, other source milk to be allocated pursuant to § 1103.46(a) (3) the skim milk and butterfat so transferred shall be classified so as to allocate the least possible Class I utilization to such other source milk; and

(3) If the transferor handler received during the month other source milk to be allocated pursuant to § 1103.46(a) (7) or (8) and the corresponding steps of § 1102.46(b), the skim milk and butterfat so transferred up to the total of such receipts shall not be classified as Class I milk to a greater extent than would be applicable to a like quantity of such other source milk received at the transferee plant;

(b) As Class I milk if diverted to a nonpool plant that is neither an other order plant nor a producer-handler plant located more than 200 miles by the shortest hard-surfaced highway distance as determined by the market administrator, from the nearer of the New State Capitol in Jackson or the County Courthouse in Gulfport, Mississippi;

(c) Except as specified in paragraph (b) of this section, as Class I milk if transferred or diverted in bulk to a nonpool plant that is neither another order plant nor a producer-handler plant, unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred or diverted shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph.

(1) The transferring or diverting handler claims classification pursuant to the assignment set forth in subparagraph (3) of this paragraph in his report submitted to the market administrator pursuant to § 1103.30 for the month within which such transaction occurred;

(2) The operator of such nonpool plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the market administrator and are adequate for verification of the Class II usage claimed; and

(3) The skim milk and butterfat so transferred shall be classified on the basis of the following assignment of utilization at such nonpool plant in excess of receipts of packaged fluid milk products from all pool plants and other order plants:

(i) Any route disposition in the marketing area shall be first assigned to the skim milk and butterfat in the fluid milk products so transferred or diverted from pool plants;

(ii) Any route disposition in the marketing area of another order issued pursuant to the Act shall be first assigned to receipts from plants fully regulated by such order, next pro rata to receipts from pool plants and other order plants not regulated by such order;

(iii) Remaining quantities of skim milk and butterfat transferred to the nonpool plant shall be assigned next to the skim milk and butterfat in transfers of milk, skim milk, and cream in bulk from the nonpool plant to pool plants, classified as if it were a direct transfer pursuant to paragraph (a) of this section from one pool plant to another pool plant with Class II utilization indicated: Provided, That if the classification limitations provided in paragraph (a) of this section result in any skim milk or butterfat being classified as Class I from pool plants of two or more handlers, such classification shall be shared pro rata between such handlers unless, at or before the time of reporting, signed statements by operators of such plants indicate agreement on a different sharing of such Class I classification:

(iv) Remaining quantities of skim milk and butterfat transferred to the nonpool plant from a pool plant(s) and from a plant(s) at which milk is priced under another order issued pursuant to the Act shall be assigned (after the application of provisions of any other order similar to subdivision (iii) of this subparagraph) to the skim milk and butterfat, respectively, resulting from the following computation:

(a) Determine the skim milk and butterfat, respectively, in Class II (as defined pursuant to § 1103.41(b) (1)) at such nonpool plant during the month;

(b) Subtract the overage or add the actual shrinkage not to exceed two percent of total receipts of skim milk and butterfat, respectively, in total fluid receipts physically received at such nonpool plant during the month;

(c) Add the increases or subtract the decreases of skim milk and butterfat, respectively, in the inventory of fluid milk products at the end of each month at such nonpool plant as compared with that at the beginning of the month;

(d) Add the skim milk and butterfat, respectively, in milk, skim milk, or cream transferred in bulk from such nonpool plant to a plant at which milk is priced under this or another order issued pursuant to the Act which milk is allocated to other than Class I under the applicable order provisions at the transferce, plant, but excluding any such transfer (s) that is classified under such other order pursuant to provisions similar to subdivision (iii) of this subparagraph;

(e) Add the skim milk and butterfat, respectively, in fluid bulk cream transfered from such nonpool plant to a second nonpool plant meeting the conditions of subparagraph (2) of this paragraph, other than an other order plant or producer-handler plant, which skim milk or butterfat is not in excess of Class II (pursuant to § 1103.41(b) (1)) processed in such second nonpool plant plus the bulk fluid cream shipped therefrom to other nonpool plants which do not dispose of milk or cream in consumer packages for consumption in fluid form; and

(f) Subtract the skim milk and butterfat, respectively, received at such nonpool plant from any source(s) other than that which has been approved by a governmental agency as a source(s) of Grade A fluid milk products. In the event that the remaining skim milk and butterfat, respectively, is less than the skim milk and butterfat, respectively, received at such nonpool plant from a pool plant(s) and from a plant(s) at which milk is priced under another order issued pursuant to the Act, the difference shall be assigned pro rata to each such plant (in accordance with receipts of skim milk and butterfat, respectively, from all plants regulated pursuant to the Act) and shall be classified as Class I milk.

(d) As follows, if transferred to an other order plant in excess of receipts from such plant in the same category as described in subparagraphs (1), (2), or (3) of this paragraph:

(1) If transferred in packaged form, classification shall be in the classes to which allocated as a fluid milk product under the other order;

(2) If transferred in bulk form, classification shall be in the classes to which allocated as a fluid milk product under the other order (including allocation under the conditions set forth in subparagraph (3) of this paragraph);

(3) If the operators of both the transferor and transferee plants so request in the reports of receipts and utilization filed with their respective market administrators, transfers in bulk form shall be classified as Class II to the extent of the Class II utilization (or comparable utilization under such other order) available for such assignment pursuant to the allocation provisions of the transferee order;

(4) If information concerning the classification to which allocated under the order is not available to the market administrator for purposes of establishing classification pursuant to this paragraph, classification shall be as Class I, subject to adjustment when such information is available;

(5) For purposes of this paragraph, if the transferee order provides for more than two classes of utilization, milk allocated to a class consisting primarily of fluid milk products shall be classified as Class I, and milk allocated to other classes shall be classified as Class II; and

(6) If the form in which any fluid milk product is transferred to an other order plant is not defined as a fluid milk product under such other order, classification shall be in accordance with the provisions of § 1103.41.

§ 1103.45 Computation of the skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and for other obvious errors the reports of receipts and utilization of each handler submitted pursuant to this part and shall compute the total pounds of skim milk and butterfat, respectively, in each class at each pool plant of such handler: Provided, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of in such product shall be considered to be an amount equivalent to the nonfat dry milk solids contained in such product, plus all of the water originally associated with such solids.

§ 1103.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1103.45, the market administrator shall determine the classification of producer milk received at each pool plant as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk classified as Class II pursuant to \$1103.41(b) (5) (i) through (vi);
(2) Subtract from the remaining

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class II milk, the lesser of the pounds remaining or two percent of

such receipts; and

(ii) From Class I milk, the remainder

of such receipts:

(3) Subtract in the order specified below from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in each of the following:

(i). Other source milk in a form other than that of a fluid milk product;

(ii) Receipts of fluid milk products for which Grade A certification is not established, or which are from unidentified sources: and

(iii) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order;

(4) Subtract, in the order specified below, from the pounds of skim milk re-

maining in Class II:

(i) The pounds of skim milk in receipts of fluid milk products from unregulated supply plants for which the handler requests Class II utilization, but not in excess of the pounds of skim milk remaining in Class II;

(ii) The pounds of skim milk remaining in receipts of fluid milk products from unregulated supply plants which are in excess of the pounds of skim milk

determined as follows:

(a) Multiply the pounds of skim milk remaining in Class I milk (exclusive of Class I transfers between pool plants of the same handler) at all pool plants of the handler by 1.25;

(b) Subtract from the result the sum of the pounds of skim milk at all such plants in producer milk, in receipts from other pool handlers and in receipts in bulk from other order plants; and

(c) (1) Multiply any resulting plus quantity by the percentage that receipts of skim milk in fluid milk products from unregulated supply plants remaining at this plant is of all such receipts remaining at all pool plants of such handler, after any deductions pursuant to subdivision (i) of this subparagraph. (2) Should such computation result in a quantity to be subtracted from Class II which is in excess of the pounds of skim milk remaining in Class II, the pounds of skim milk in Class II shall be increased to the quantity to be subtracted and the pounds of skim milk in Class I shall be decreased a like amount. In such case the utilization of skim milk at other pool plant(s) of such handler shall be adjusted in the reverse direction by an identical amount in sequence beginning with the nearest other pool plant of such handler at which such adjustment can be made.

(iii) The pounds of skim milk in receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, but not in excess of the pounds of skim milk remaining in Class II milk, if Class II utilization was requested by the operator of such

plant and the handler;

(5) Subtract from the pounds of skim milk remaining in each class in series beginning with Class II, the pounds of skim milk in inventory of fluid milk products on hand at the beginning of the month:

(6) Add to the remaining pounds of skim milk in Class II milk the pounds milk remaining in each class the pounds

subtracted pursuant to subparagraph (1) of this paragraph:

(7) (i) Subtract from the pounds of skim milk remaining in each class, pro rata to the total pounds of skim milk remaining in each class in all pool plants of the receiving handler, the pounds of skim milk in receipts of fluid milk products from unregulated supply plants that were not subtracted pursuant to subparagraph (4) (i) or (ii) of this paragraph;

(ii) Should such proration result in the amount to be subtracted from any class exceeding the pounds of skim milk remaining in such class in the pool plant at which such skim milk was received, the pounds of skim milk in such class shall be increased to the amount to be subtracted and the pounds of skim milk in the other class shall be decreased a like amount. In such case the utilization of milk at other pool plant(s) of such handler shall be adjusted in the reverse direction by an identical amount in sequence beginning with the nearest other pool plant of such handler at which such adjustment can be made.

(8) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk in receipts of fluid milk products in bulk from an other order plant, in excess in each case of similar transfers to the same plant, that were not subtracted pursuant to subparagraph (4) (iii) of this paragraph pursuant to

the following procedure:

(i) Subject to the provisions of subdivisions (ii) and (iii) of this subparagraph, such subtraction shall be pro rata to whichever of the following represents the higher proportion of Class II milk:

(a) The estimated utilization of skim milk in each class, by all handlers, as announced for the month pursuant to § 1103.22(m); or

(b) The pounds of skim milk in each class remaining at all pool plants of the handler;

(ii) Should proration pursuant to subdivision (i) of this subparagraph result in the total pounds of skim milk to be subtracted from Class II at all pool plants of the handler exceeding the pounds of skim milk remaining in Class II at such plants, the pounds of such excess shall be subtracted from the pounds of skim milk remaining in Class I after such proration at the pool plants at which received;

(iii) Except as provided in subdivision (ii), should proration pursuant to either subdivision (i) or (ii) of this subparagraph result in the amount to be subtracted from either class exceeding the pounds of skim milk remaining in such class in the pool plant at which such skim milk was received, the pounds of skim milk in such class shall be increased to the amount to be subtracted and the pounds of skim milk in the other class shall be decreased a like amount. In such case the utilization of milk at other pool plant(s) of such handler shall be adjusted in the reverse direction by an identical amount in sequence beginning with the nearest other pool plant of such handler at which such adjustment can be made.

(9) Subtract from the pounds of skim

of skim milk received in fluid milk products from other pool plants according to the classification assigned pursuant to § 1103.44(a); and

(10) If the pounds of skim milk remaining in both classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class II. Any amount so subtracted shall be known as "overage";

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this

section; and

(c) Combine the amounts of skim milk and butterfat determined pursuant to paragraphs (a) and (b) of this section into one total for each class and determine the weighted average butterfat content of producer milk in each class.

MINIMUM PRICES

§ 1103.50 Basic formula price.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) computed at 0.12 times the Chicago butter price. The basic formula price shall be rounded to the nearest full cent.

§ 1103.51 Class prices.

Subject to the provisions of §§ 1103.52 and 1103.53, the minimum prices per hundredweight for the month shall be as: follows:

(a) Class I milk price. The Class I milk price shall be the basic formula price for the preceding month, plus \$2.15 during the months of March through July and \$2.35 in all other months, subject to a supply-demand adjustment of not more than 45 cents calculated for each month pursuant to subparagraphs (1) through (5) of this paragraph: Provided, That through June 30, 1965, such adjustment shall not exceed 25 cents:

(1) Divide the total receipts of producer milk by the total volume of Class I milk (excluding interhandler transfers and any intermarket transfers that would result in the same milk being accounted for the second time as Class I milk) under this part and Part 1105 (regulating the handling of milk in the Mississippi Delta marketing area) in each of the following periods and round to one-tenth of one percent:

(i) The 2-year period ending with the second preceding month;

(ii) The 2-month period ending with the second preceding month; and

(iii) The 2-month period ending with the second preceding month and the same period of each of the 2 preceding

years:

(2) Divide the utilization percentage for the three 2-month periods computed pursuant to subparagraph (1) (iii) of this paragraph by the utilization percentage for the 2-year period computed pursuant to subparagraph (1)(i) of this paragraph. Adjust the resulting "seasonal ratio" as follows:

(i) Add to the seasonal ratio a similar computation for each of the 11 preceding

(ii) Divide 12 by the sum thus ob-

tained; and

(iii) Multiply the seasonal ratio by the quotient obtained in subdivision (ii) of this subparagraph;

(3) Compute the standard utilization percentage by multiplying the adjusted seasonal ratio of subparagraph (2) (iii)

of this paragraph by 134.2:

(4) Subtract from the current utilization percentage computed pursuant to subparagraph (1) (ii) the standard utilization percentage for the month computed pursuant to subparagraph (3) of this paragraph and round to the nearest full percentage point. This result is the "deviation percentage"; and

(5) Compute the number of cents which is one times the plus or minus deviation as the case may be, computed pursuant to subparagraph (4) of this paragraph, and decrease or increase, respectively, the Class I price by such amount: *Provided*, That if such adjustment varies from that for the preceding month by less than 5 cents, the supplydemand adjustment for the preceding month shall be the supply-demand adjustment for the current month.

(b) Class II milk price. The Class II milk price shall be the lesser of the fol-

lowing prices:

(1) The basic formula price for the months of August through February and the basic formula price less 10 cents in

all other months; or
(2) The Class II milk price established pursuant to § 1094.51(b) of this chapter regulating the handling of milk in the New Orleans, Louisiana, marketing area.

§ 1103.52 Butterfat differential to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices calculated pursuant to § 1103.51 shall be increased or decreased, respectively, for each one-tenth percent butterfat at the appropriate rate determined as follows:

(a) Class I price. Multiply the Chicago butter price for the preceding month

by 0.12; and
(b) Class II price. Multiply the Chicago butter price for the month by 0.11.

§ 1103.53 Location differential to handlers.

(a) For that milk which is received from producers at a pool plant and classified as Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section and for other source milk for which a location adjustment is applicable, the price specified in § 1103.51(a) shall to receipts from other order plants and unregulated supply plants, such assignment to be made first to transferor plants at which no location adjustment credit is applicable and then in sequence beginning with the plant at which the least location adjustment would apply.

§ 1103.54 Use of equivalent prices.

If, for any reason, a price specified in this part for use in computing class prices or for other purposes is not reported or published in the manner described in

this part, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

APPLICATION OF PROVISIONS

§ 1103.60 Producer-handler.

Sections 1103.42 through 1103.48, 1103.50 through 1103.55, 1103.61, 1103.62, 1103.70 through 1103.72, 1103.80 through 1103.83, and 1103.90 through 1103.99 shall not apply to a producer-handler.

§ 1103.61 Plants subject to other Federal orders.

The provisions of this part shall not apply to a plant specified in paragraph (a), (b), or (c) of this section except that the operator thereof, with respect to receipts and utilization of skim milk and butterfat, shall make reports to the market administrator at such time and in such manner as to be reduced at the following rates (where mileage determinations are applicable these distances shall be determined by the market administrator by applying the shortest hard-surfaced highway distance open to commercial truck traffic):

Rate per hundredwight (cents)

26.0

Location (1) For milk received at a pool plant located in the following Mississippi counties: Adams, Claiborne, Clarke, Copiah, Covington, Forrest, Frank-lin, Hinds, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Madison, Marion, Neshoba, Newton, Perry, Rankin, Scott, Simpson, Smith, Walthall, Warren, and Wayne...

(2) For milk received at a pool plant located outside the marketing area and in the State of Mississippi beyond the northern boundary of the marketing area but less than 30 miles north of the U.S. Highway

received at a pool plant located outside the marketing area and:

(i) More than 60 but not more than 160 miles from the courthouse in Gulfport or Pasca-goula, Mississippi, whichever is

(ii) For each additional 10 miles or fraction thereof, an additional _.

(b) For purposes of calculating such adjustment, transfers between pool plants shall be assigned Class I disposition at the transferee plant, in excess of the sum of receipts at such plant from producers and the pounds assigned as Class I market administrator may prescribe and allow verification of such reports by the market administrator.

(a) A plant meeting the requirements of § 1103.11(a) which also meets the pooling requirements of another Federal order and from which the Secretary determines, a greater quantity of Class I milk is disposed of during the month as route dispositions in such other Federal order marketing area than was disposed of as route dispositions in this marketing area, except that if such plant was subject to all the provisions of this part in the immediately preceding month, it shall continue to be subject to all the provisions of this part until the third consecutive month in which a greater proportion of its Class I disposition is made in such other marketing area unless, notwithstanding the provisions of this paragraph, it is regulated under such other order:

(b) A plant meeting the requirements of § 1103.11(a) which also meets the pooling requirements of another Federal order on the basis of distribution in such other marketing area and from which, the Secretary determines a greater quantity of Class I milk is disposed of during the month on routes in this marketing area than is so disposed of in such other marketing area but which plant is nevertheless, fully regulated under such other Federal order; and

(c) A plant meeting the requirements of § 1103.11(b) which also meets the pooling requirements of another Federal order and from which greater qualifying shipments are made during the month to plants regulated under such other order than are made to plants regulated under this part except during the months of February through August if such plant retains automatic pooling status under this part.

§ 1103.62 Obligations of handler operating a partially regulated distributing plant.

Each handler who operates a partially regulated distributing plant shall pay to the market administrator for the producer-settlement fund on or before the 25th day after the end of the month either of the amounts (at the handler's election) calculated pursuant to paragraph (a) or (b) of this section. If the handler fails to report pursuant to \$\$ 1103.30(b) and 1103.31(c) the information necessary to compute the amount specified in paragraph (a), he shall pay the amount computed pursuant to paragraph (b) of this section:

(a) An amount computed as follows: (1) (i) The obligation that would have been computed pursuant to § 1103.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class II milk if allocated to such class at the pool plant or other plant and be valued at the weighted average price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1103.70(e) and a credit in the amount specified in § 1103.97(b) (2) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified below in this subparagraph.

(ii) If the operator of the partially regulated distributing plant so requests, and provides with his reports pursuant to §§ 1103.30(b) and 1103.31(c) similar reports with respect to the operations of any other nonpool plant which serves as a supply plant for such partially regulated distributing plant by shipments to such plant during the month equivalent to the requirements of § 1103.11(b), with agreement of the operator of such plant that the market administrator may examine the books and records of such plant for purposes of verification of such reports, there will be added the amount of the obligation computed at such nonpool supply plant in the same manner and subject to the same conditions as for the partially regulated distributing plant.

(2) From this obligation there will be deducted the sum of (i) the gross payments made by such handler for Grade A milk received during the month from dairy farmers at such plant and like payments made by the operator of a supply plant(s) included in the computations pursuant to subparagraph (1) of this paragraph, and (ii) any payments to the producer-settlement fund of another order under which such plant is also a partially regulated distributing plant.

(b) An amount computed as follows: (1) Determine the respective amounts

of skim milk and butterfat disposed of as Class I milk on routes in the marketing areas:

(2) Deduct the respective amounts of skim milk and butterfat received as Class I milk at the partially regulated distributing plant from pool plants and other order plants except that deducted under a similar provision of another order issued pursuant to the Act;

(3) Combine the amounts of skim milk and butterfat remaining into one total and determine the weighted aver-

age butterfat content; and

(4) From the value of such milk at the Class I price applicable at the location of the nonpool plant, subtract its value at the weighted average price applicable at such location (not to be less than the Class II price).

DETERMINATION OF PRICES TO PRODUCERS

§ 1103.70 Computation of the net pool obligation of each pool handler.

For each month the market administrator shall compute the obligation of each pool handler by making the computations provided in paragraphs (a) through (e) of this section for each of his pool plants, and adding together the resulting totals:

(a) Multiply the quantity of producer milk in each class, as computed pursuant to § 1103.46(c), by the applicable class prices (adjusted pursuant to §§ 1103.52

and 1103.53);

(b) Add the amount obtained from multiplying the pounds of overage deducted from each class pursuant to § 1103.46(a) (10) and the corresponding step of § 1103.46(b) by the applicable class prices;

(c) Add the amount obtained from multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 1103.46(a) (5) and the corresponding step of § 1103.46(b);

(d) Add an amount equal to the diference between the value at the Class I price applicable at the pool plant and

the value at the Class II price, with respect to skim milk and butterfat in other source milk subtracted from Class I pursuant to § 1103.46(a)(3) and the corresponding step of § 1103.46(b); and

(e) Add an amount equal to the value at the Class I price, adjusted for location of the nearest nonpool plant(s) from which an equivalent volume was received, with respect to skim milk and butterfat subtracted from Class I pursuant to § 1103.46(a) (7) and the corresponding step of § 1103.46(b).

§ 1103.71 Computation of the weighted average price and uniform price.

For each month the market administrator shall compute the weighted average price per hundredweight for milk or 3.5 percent butterfat content as follows:

(a) Combine into one total the values computed pursuant to § 1103.70 for all handlers specified in § 1103.13 (a) and (c) who filed reports prescribed by § 1103.30, and who made payments pursuant to § 1103.90 and § 1103.97 for the

preceding month: (b) Subtract, if the average butterfat content of the milk included under paragraph (e) of this section is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed as follows: Multiply the variation in the average butterfat content of such milk from 3.5 percent by the butterfat differential computed pursuant to § 1103.91, and multiply the result by the total hundredweight of such milk;

(c) Add an amount equal to the sum of the deductions to be made for location differentials pursuant to § 1103.92:

(d) Add not less than one-half of the unobligated balance on hand in the producer-settlement fund;

(e) Divide the resulting amount by the sum of the following for all handlers included in these computations:

(1) The total hundredweight of producer milk, and

(2) The total hundredweight for which a value is computed pursuant to § 1103.70(e); and

(f) Subtract not less than 4 cents nor more than 5 cents. The result shall be the "weighted average price", and, except for the months of March through July, shall be the "uniform price" for milk received from producers.

§ 1103.72 Computation of uniform prices for base milk and for excess milk.

For each of the months of March through July, the market administrator shall compute the uniform prices per hundredweight for base milk and for excess milk, each of 3.5 percent butterfat content, as follows:

(a) Excess milk price. (1) Assign the total hundredweight of excess milk, received by all pool handlers whose receipts are included in the computation pursuant to § 1103.71 to producer milk in each class in series beginning with Class

(2) Multiply the pounds of excess milk assigned to each class pursuant to subparagraph (1) of this paragraph by the nection with the establishment of bases:

applicable class price and add the resulting totals:

(3) Add the amount of any adjustment applicable pursuant to the proviso of subparagraph (b) (2) of this section;

(4) Divide the resulting total by the hundredweight of excess milk and round to the nearest cent. The result shall be the "uniform price for excess milk"; and

(b) Base milk price. (1) From the aggregate value of all milk obtained in § 1103.71 (a) through (d) subtract the following:

(i) An amount computed by multiplying the hundredweight of milk specified in § 1103.71(e) (2) by the weighted average price; and

(ii) An amount computed by multiplying the hundredweight of excess milk determined pursuant to paragraph (a) of this section by the uniform price for

excess milk:

- (2) Divide the result by the total hundredweight of base milk received by all pool handlers whose receipts are included in the computation pursuant to § 1103.71: Provided, That if the resulting price should exceed the Class I price by more than the amount deducted pursuant to subparagraph (3) of this paragraph the aggregate amount in excess thereof shall be included in the computation of the excess price pursuant to paragraph (a) of this section, except that if by such addition the excess price should exceed the base price then the aggregate amount of the excess shall be prorated to the aggregate values of base milk and excess milk on the basis of the respective volumes of base and excess milk; and
- (3) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the "uniform price for base milk".

BASE RATING

§ 1103.80 Determination of daily base.

The daily base of each producer shall be calculated by the market administrator as follows: Divide the total pounds of milk received by all pool plants from such producer during the months of September through January by the larger of:

(a) 120 days; or

(b) The number of days beginning with the first day in such months on which milk is received from such producer and ending with January 31 (plus the number of days prior to the day of such first receipts on which such milk was produced, and minus the number of days in January on which milk received from such producer in February was produced).

§ 1103.81 Computation of base.

The base of each producer to be applied during the months of March through July shall be a quantity of milk calculated by the market administrator in the following manner: Multiply the daily base of such producer by the number of days production delivered by such producer to handlers during the month.

.§ 1103.82 Base rules.

The following rules shall apply in con-

- (a) A base shall be assigned to the producer for whose account milk is received at a pool plant during the months of September through January and to each person for whose account milk was delivered to a plant that did not qualify as a pool plant during each month of the base-forming period, but which qualifies as a pool plant during any of the months of March through July, bases shall be assigned on deliveries at such plant in the same manner as if such plant had been a pool plant during each month of the base-forming period; and
- (b) An entire base shall be transferred by the market administrator to another person upon receipt of an application form, approved by the market administrator, and signed by the base-holder(s), or his heirs, and by the person to whom such base is transferred subject to the following conditions:
- (1) If a base is transferred to a producer already holding a base, a new base shall be computed by adding together the producer milk deliveries of the transfere and the transferor during the base-forming period and dividing the total by the larger of:

(i) 120 days; or

(ii) The number of days beginning with the first day on which milk is received from either the transferee or transferor during the base-forming period and ending with January 31 (plus the number of days prior to the day of such first receipt on which such milk was produced, and minus the number of days in January on which milk received from such producer in February was produced).

§ 1103.83 Announcement of established bases.

On or before March 1 of each year, the market administrator shall notify each producer and the handler receiving milk from such producer of the daily base established by such producer.

PAYMENTS

§ 1103.90 Time and method of payment.

Each handler shall make payment as follows:

- (a) On or before the 15th day after the end of each month during which the milk was received, to each producer for whom payment is not made pursuant to paragraph (c) of this section, at not less than the applicable uniform price(s) pursuant to § 1103.71 or § 1103.72 adjusted by the producer butterfat differential computed pursuant to § 1103.91, subject to the location adjustment to producers pursuant to § 1103.92, and less the following amounts:
- (1) The payments made pursuant to paragraph (b) of this section:

(2) Marketing service deductions pursuant to § 1103.94; and

(3) Any proper deductions authorized in writing by the producer: *Provided*, That if by such date such handler has not received full payment for such month pursuant to § 1103.98 he may reduce his total payment to all producers uniformly by not more than the amount of reduction in payment from the market administrator; the handler shall, however,

complete such payments not later than the date for making such payments pursuant to this paragraph next following receipt of the balance from the market administrator;

- (b) On or before the last day of each month to each producer (1) for whom payment is not received from the handler by a cooperative association pursuant to paragraph (c) of this section, and (2) who had not discontinued shipping milk to such handler before the 18th day of the month, an advance payment with respect to milk received from such producer during the first 15 days of the month at not less than the Class II price for 3.5 percent milk for the preceding month;
- (c) To a cooperative association which has filed request for such payment with such handler and with respect to producers for whose milk the market administrator determines such cooperative association is authorized to collect payment as follows:
- (1) On or before the 26th day of the month, an amount equal to not less than the sum of the individual payments otherwise payable to producers pursuant to paragraph (b) of this section; and
- (2) On or before the 13th day after the end of each month an amount equal to not less than the sum of the individual payments otherwise payable to producers pursuant to paragraph (a) of this section, less proper deductions authorized in writing by such cooperative association:

(d) In making payments to producers pursuant to paragraph (a) of this section, each handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer which shall show:

(1) The month and the identity of the

handler and of the producer;

(2) The pounds per shipment, the date, the total pounds, and the average butter-fat test of milk delivered by the producer;

(3) The minimum rate or rates at which payment to such producer is required pursuant to this part:

(4) The rate which is used in making the payment if such rate is other than the applicable minimum rate;

- (5) The amount or the rate per hundredweight of each deduction claimed by the handler, including any deduction claimed under paragraph (b) of this section and § 1103.94, together with a description of the respective deduction; and
- (6) The net amount of payment to the producer; or
- (e) To a cooperative association for milk received from such association in its capacity as a handler as follows:
- (1) On or before the 26th day of each month an amount equal to not less than the Class II price for 3.5 percent milk for the preceding month multiplied by the hundredweight of milk received from such association during the first 15 days of the current month; and
- (2) On or before the 13th day after the end of each month an amount equal to not less than the utilization value of such milk computed at the applicable class prices less amounts paid pursuant to subparagraph (1) of this paragraph.

§ 1103.91 Producer butterfat differential.

In making payments pursuant to § 1103.90, the uniform price(s) shall be increased or decreased for each one-tenth of one percent that the butterfat content in milk received from each producer is above or below 3.5 percent, as the case may be, by a butterfat differential equal to the average of the butterfat differentials pursuant to § 1103.52 weighted by the pounds of butterfat in producer milk in each class, rounded to the nearest one-tenth cent.

§ 1103.92 Location differential to producers and on nonpool milk.

- (a) In making payment to producers pursuant to § 1103.90, the uniform price pursuant to § 1103.71 and the uniform price for base milk pursuant to § 1103.72 to be paid for milk received at a pool plant shall be reduced according to the location of the pool plant at the rates set forth in § 1103.53; and
- (b) For purposes of computations pursuant to \$\$ 1103.97 and 1103.98 the weighted average price shall be adjusted at the rates set forth in \$ 1103.53 applicable at the location of the nonpool plant from which the milk was received.

§ 1103.93 Adjustment of accounts.

Whenever audit by the market administrator of any handler's reports, books, records, or accounts, or verification of weights and butterfat tests of milk or milk products discloses errors resulting in money due (a) the market administrator from such handler, (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth under which such error occurred.

§ 1103.94 Marketing services.

- (a) Except as set forth in paragraph (b) of this section, each handler in making payments to producers for milk (other than milk of his own production) pursuant to § 1103.90(a), shall deduct 7 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all milk received by such handler from producers during the month, and shall pay such deductions to the market administrator on or before the 15th day after the end of such month. Such moneys shall be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of the milk for producers who are not receiving such services from a cooperative association. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him; and
- (b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deduction specified in paragraph (a) of this section, such deductions from the pay-

ments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and such producers on or before the 15th day after the end of each month, and pay such deductions to such cooperative association.

§ 1103.95 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 15th day after the end of the month 5 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to (a) producer milk (including such handler's own production), (b) other source milk allocated to Class I pursuant to § 1103.46(a) (3) and (7) and the corresponding steps of § 1103.46(b), and (c) Class I milk disposed of from a partially regulated distributing plant as route dispositions in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

§ 1103.96 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 1103.62, 1103.93, and 1103.97, and out of which he shall make all payments pursuant to §§ 1103.93 and 1103.98: Provided, That any payments due to any handler shall be offset by any payments due from such handler.

§ 1103.97 Payments to the producersettlement fund.

On or before the 12th day after the end of the month each handler shall pay to the market administrator the amount, if any, by which the total amounts specified in paragraph (a) of this section exceed the amounts specified in paragraph (b) of this section:

(a) The total of the net pool obligation computed pursuant to § 1103.70 for such handler;

(b) The sum of:

(1) The value of such handler's producer milk at the applicable uniform prices specified in § 1103.90; and

(2) The value at the weighted average price(s) applicable at the location of the plant(s), from which received (not to be less than the value at the Class II price) with respect to other source milk for which a value is computed pursuant to § 1103.70(e).

§ 1103.98 Payments out of the producersettlement fund.

On or before the 13th day after the end of each month the market administrator shall pay to each handler the amount, if any, by which the amount computed pursuant to § 1103.97(b) exceeds the amount computed pursuant to § 1103.97(a). If, at such time, the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall compute such payments as soon as the appropriate funds are to be due him under the terms of this available.

§ 1103.99 Overdue accounts.

Any unpaid obligation of a handler or of the market administrator pursuant to §§ 1103.62, 1103.93 (a) and (b), 1103.94 (a), 1103.95, 1103.97 or 1103.98 shall be increased one-half of one percent each month or fraction thereof starting the third day after the date such obligation is due until such obligation is paid. Any remittance received by the marketing administrator postmarked not later than the date such obligation is due shall be considered to have been received when due.

§ 1103.100 Termination of obligations.

The provisions of this section shall apply to any obligation under this part

for the payment of money:

- (a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:
- (1) The amount of the obligation; (2) The month(s) during which the milk, with respect to which the obliga-
- tion exists, was received or handled; and (3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of such producers, or if the obligation is payable to the market ad-ministrator, the account for which it is
- to be paid; (b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representa-
- (c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact. material to the obligation, on the part of the handler against whom the obligation is sought to be imposed; and

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims plication to any persons or circum-

part shall terminate 2 years after the end of the calendar month during which the milk involved in the claim was received if an under payment is claimed, or 2 years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time files, pursuant to section 8c(15) (A) of the Act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 1103.105 Effective time.

The provisions of this part or any amendment to this part shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 1103.106.

§ 1103.106 Suspension or termination.

The Secretary may suspend or terminate this part or any provision of this part whenever he finds that it obstructs, or does not tend to effectuate the declared policy of the Act. This part shall terminate, in any event, whenever the provisions of the Act authorizing it cease to be in effect.

§ 1103.107 Continuing obligations.

If, upon the the suspension or termination of any or all provisions of this part, there are any obligations thereunder, the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 1103.108 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receiveable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If-a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 1103.109 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 1103.110 Separability of provisions.

If any provision of this part, or its ap-

stances, is held invalid, the application of such provision, and of the remaining provisions of this part to other persons or circumstances shall not be affected thereby.

MISSISSIPPI DELTA ORDER

Proposed by Mississippi Milk Producers Association:

Proposal No. 1.

Amended § 1105.50(a) to read as follows:

§ 1105.50 Class I milk price.

_* * * * * * (a) * * *

(1) The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b., plants in Minnesota and Wisconsin, as reported by the Department for the month, adjusted to a 3.5 percent butterfat basis by a butterfat differential (rounded to the nearest one-tenth cent) computed at 0.12 times the Chicago butter price. The basic formula price shall be rounded to the nearest full cent.

(2) The Class I milk price shall be the basic formula price for the preceding month plus \$1.89 during the months of March through July and \$2.09 in all other months, subject to a supply-demand adjustment as proposed for the Southern Mississippi Order No. 103.

Copies of this notice may be procured from the Market Administrator, Cleo C. Taylor, P.O. Box 9747, Northside Station, Jackson, Miss., 39206, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C., 20250, or may be there inspected.

Signed at Washington, D.C., on August 27, 1964.

CLARENCE H. GIRARD, Deputy Administrator.

[F.R. Doc. 64-8873; Filed, Aug. 31, 1964; 8:49 a.m.]

I 7 CFR Parts 1103, 1107 1

MILK IN CENTRAL MISSISSIPPI AND MISSISSIPPI GULF COAST MARKET-ING AREAS

Order Terminating Orders, as Amended

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) hereinafter referred to as the "Act", and of the orders, as amended (7 CFR Parts 1103 and 1107), regulating the handling of milk in the Central Mississippi and Mississippi Gulf Coast marketing areas, respectively, hereinafter referred to as the "orders", it is hereby found and determined that:

(a) The terms and provisions of Parts 1103 and 1107, both as amended (Title 7, Code of Federal Regulations), do not tend to effectuate the declared policy of the Act.

Public hearings on proposed amendments to the Central Mississippi and Mississippi Gulf Coast milk orders were held on October 26, 1961, July 23–27, 1962, and January 8–11, 1963, pursuant

to notices thereof issued October 17, 1961 (26 F.R. 9912), June 19, 1962 (27 F.R. 5960), July 5, 1962 (27 F.R. 6433) and December 20, 1962 (27 F.R. 12773).

On May 15, 1964 the Under Secretary issued a final decision (29 F.R. 6540) on the issues considered at the hearings held on October 26, 1961, and July 23–27, 1962. On June 19, 1964 the Assistant Secretary issued a final decision (29 F.R. 9110) on the issues considered at the January 8–11, 1963, hearing.

The decision of May 15, 1964, would combine the Central Mississippi and Mississippi Gulf Coast orders into one order to be called the Southern Mississippi order. The decision of June 19, 1964, would amend the proposed combined order with respect to the treatment of other source milk. Each of the decisions contained a finding that the provisions of the proposed order would tend to effectuate the declared policy of the Act.

On July 10, 1964, the Under Secretary issued an order (29 F.R. 9569) directing that a referendum be conducted among producers to determine whether they approved the issuance of the proposed order as published in the decision issued May 15, 1964, and as proposed to be further amended by the decision issued on June 19, 1964.

It is hereby found and determined that less than two-thirds of the producers who participated in the said referendum favored the issuance of the proposed order. On the basis of this referendum, it is concluded that no action relative to the proposed amendments to the Central Mississippi and Mississippi Gulf Coast orders should be taken, and such proceeding is hereby terminated.

(b) Thirty days notice of the effective date hereof is impractical, unnecessary and contrary to the public interest. Interested parties were afforded opportunity to file written data, views or arguments concerning the proposed termination (29 F.R. 11458). A number of interested parties responded expressing approval and others expressing disapproval of the proposed termination of Orders No. 103 and 107. In view of the findings stated under (a) above:

It is therefore ordered, That the terms and provisions of Orders No. 103 and 107, both as amended, except §§ 1103.103 and 1103.107, and §§ 1107.92 and 1107.93, regulating the handling of milk in the Central Mississippi and Mississippi Gulf Coast marketing areas, respectively (7 CFR Parts 1103 and 1107), are hereby terminated effective on and after September 1, 1964 subject, however, to the following conditions:

(1) That such termination of the said orders shall not affect or waive any right, obligation, duty or liability under either of the said orders with respect to milk delivered prior to September 1, 1964, or release or extinguish any violation of the said orders, or affect or impair any right or remedy of the United States, the Secretary of Agriculture, or any other person with respect to any such violation which has arisen or occurred or which may arise or occur prior to the time that such termination becomes effective;

(2) That the provisions of §§ 1103.103 and 1103.107, and §§ 1107.92 and 1107.93 of the respective orders, relating to proceedings subsequent to the termination of such orders, shall remain in force and effect for the purpose of enabling the market administrator, who is hereby designated to continue in such capacity, as the agency to liquidate the affairs of the market administrator of each order pursuant to the provisions of the said orders;

(3) That the market administrator shall, in accordance with the applicable provisions of §§ 1103.103 and 1107.93, continue in such capacity and, from time to time, account for all funds, receipts and disbursements; and

(4) That the said market administra-

(4) That the said market administrator, continuing in such capacity, as provided in said §§ 1103.103 and 1107.93 shall have all of the powers and authority that may be necessary or proper in order to carry out the provisions thereof, and that such market administrator shall perform the duties specified therein.

(49 Stat. 753; 7 U.S.C. 608c)

Signed at Washington, D.C., on August 27, 1964.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 64-8874; Filed, Aug. 31, 1964; 8:50 a.m.]

[7 CFR Part 1105] MILK IN MISSISSIPPI DELTA MARKETING AREA

Determination of Equivalent Class I Price

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and to the applicable provisions of the order, as amended, regulating the handling of milk in the Mississippi Delta marketing area (7 CFR Part 1105), hereinafter referred to as the order, it is hereby found and determined as follows:

(1) In § 1105.50(a) of the order it is provided that the price per hundred-weight for Class I milk shall be the price for Class I milk established pursuant to § 1103.51(a) of the order regulating the handling of milk in the Central Mississippi marketing area, less 16 cents. The Central Mississippi order is terminated effective September 1, 1964.

It is necessary, therefore, that an equivalent price be determined for the Class I price pursuant to Order No. 105 regulating the handling of milk in the Mississippi Delta marketing area for the month of September 1964 and subsequent months until the order is amended to provide a price formula.

(2) It is hereby determined that the equivalent Class I price per hundred-weight pursuant to § 1105.54 for September 1964 and subsequent months is the average price per hundredweight for manufacturing grade milk, f.o.b., plants in Minnesota and Wisconsin, as reported by the Department for the preceding month, adjusted to a 3.5 percent butterfat basis by a butterfat differential

(rounded to the nearest one-tenth cent) computed at 0.12 times the Chicago butter price, such adjusted price to be rounded to the nearest full cent, plus

(3) Notice of proposed rule making, public procedure thereon and 30 days prior notice to the effective date hereof are impractical, unnecessary and contrary to the public interest in that:

(a) The provisions of § 1105.50(a), which specify a Class I price 16 cents per hundredweight less than the Class I price pursuant to the Central Mississippi order, provide, in effect, the same pricing factors and the same mathematical result as the equivalent price described in paragraph (2) hereof.

(b) The equivalent price described herein will maintain the level of pricing which has applied under the Mississippi Delta order. During the period the equivalent price is in effect, no substantial change in the Mississippi Delta Class

I price is anticipated.

(c) The price for manufacturing grade milk in Minnesota and Wisconsin as described in paragraph (2) hereof is used in most Federal milk orders as a pricing factor and is published monthly by market administrators in applicable markets:

(d) This determination does not require of persons affected substantial or extensive preparation prior to the effective date;

(e) This determination is necessary to reflect current marketing conditions and to maintain orderly marketing; and

(f) The short time between issuance of this determination and its effective date makes it impractical for rule-making procedure to be completed. The order directs announcement by the market administrator not later than September 6, 1964, of the Class I price.

Therefore good cause exists for making this determination effective September

1, 1964.

Effective date: September 1, 1964.

Signed at Washington, D.C., on August 27, 1964.

Charles S. Murphy, Acting Secretary.

[F.R. Doc. 64-8875; Filed, Aug. 31, 1964; 8:50 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–SW-54]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration and Designation

The Federal Aviation Agency is considering amendments to Part 71 (New) of the Federal Aviation Regulations which would alter the controlled airspace in the Beeville, Tex., terminal area.

The following controlled airspace is presently designated in the Beeville, Tex.,

terminal area:

1. The Beeville control zone is designated as that airspace within a 5-mile radius of NAAS Chase Field, Beeville, Tex. (latitude 28°22'00" N., longitude 97°40'00" W.); within 2 miles either side

of the NAAS Chase TACAN 129° and 321° radials extending from the 5-mile radius zone to 7 miles SE and NW of the TACAN, and within 2 miles either side of the NAAS Chase VOR 349° radial extending from the 5²mile radius zone to 7 miles N of the VOR.

2. The Corpus Christi, Tex., control area extension is designated as that airspace N of Corpus Christi bounded on the SE by V-20, on the SW by V-68, on the NW by the arc of 60-mile circle centered on the San Antonio, Tex., RBN, on the N by latitude 29°00′00″ N., and on the NE by the arc of a 25-mile circle centered at latitude 28°51′00″ N., longitude 96°-55′00″ W.; including the airspace SE of Corpus Christi bounded on the NW by V-20, on the E by longitude 97°14′00″ W., on the SE by the N boundary of R-6301, and on the W by the arc of a 35-mile circle centered on the Alice, Tex., VOR.

3. The San Antonio, Tex., control area

3. The San Antonio, Tex., control area extension is designated as that airspace within a 60-mile radius of the San Antonio RBN; the airspace E of San Antonio bounded on the N by the Austin, Tex., control area extension, on the NE by V-180 and on the S by V-198.

The Federal Aviation Agency having completed a comprehensive review of the terminal airspace structure requirements in the Beeville, Tex., terminal area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, proposes the

following airspace actions:

1. Redesignate the Beeville control zone as that airspace within a 5-mile radius of NAAS Chase Field, Beeville, Tex. (latitude 28°21′50″ N., longitude 97°39′40″ W.); within 2 miles each side of the NAAS Chase TACAN 129° and 321° radials extending from the 5-mile radius zone to 7 miles SE and NW of the TACAN; and within 2 miles each side of the NAAS Chase VOR 349° radial extending from the 5 mile radius zone to 12 miles N of the VOR.

2. Designate the Beeville transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of NAAS Chase Field (latitude 28°21'50" N., longitude 97°39'-40" W.); within 2 miles each side of the NAAS Chase TACAN 129° and 321° radials extending from the 7-mile radius area to 10 miles NW and SE of the TACAN; within 2 miles each side of the 339° bearing from the NAAS Chase RBN extending from the 7-mile radius area to 12 miles N of the RBN; and that airspace extending upward from 1200 feet above the surface within an area bounded by a line beginning at latitude 29°00'00" N., longitude 97°17′00" W., thence to the N boundary of V-20 at longitude 97°05'00" W., thence SW via the N boundary of V-20 to latitude 28°07′00′′ N., thence W via latitude 28°07'00" N. to the SW boundary of V-163 (proposed), thence NW via the SW boundary of V-163 to longitude 98°-23'00" W., thence to latitude 28°43'30" N., longitude 98°17'30" W., thence to latitude 29°00′00′′ N., longitude 97°43′-W., thence to point of beginning.

The proposed alteration of the Beeville control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures at NAAS Chase Field.

The portion of the proposed Beeville transition area with a floor of 1,200 feet above the surface would raise the floor of controlled airspace from 700 feet to 1,200 feet beyond the immediate vicinity of NAAS Chase Field and as a result, would make such airspace available for other uses, yet sufficient controlled airspace would be retained to provide adequate protection for aircraft executing prescribed instrument holding, arrival and departure procedures within the Beeville terminal area.

The floors of the airways and the portions of the Corpus Christi and San Antonio control area extension that would traverse the transition area proposed herein would automatically coincide with the floor of the transition area. The revocation of the Corpus Christi and San Antonio control area extensions will be accomplished at a later date as a part of the CAR Amendments 60-21/60-29 program proposed for the terminal areas which adjoin the Beeville terminal area.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, Fort Worth, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Tex., 76101. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Air Traffic Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Agency, Fort Worth, Tex. An informal docket will also be available for examination at the Office of the Chief, Air Traffic Division.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on August 24, 1964.

Archie W. League, Director, Southwest Region.

[F.R. Doc. 64-8828; Filed, Aug. 31, 1964; 8:46 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 64-CE-41]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [Newl of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the Green Bay,

Wisconsin, terminal area:

1. The Green Bay control zone is designated within a 4-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'15" N., longitude 88°07'45" W.); within 2 miles each side of the Green Bay VORTAC 146° radial, extending from the 4-mile radius zone to the VORTAC; within 2 miles each side of the Green Bay ILS localizer SW course, extending from the 4-mile radius zone to the OM, and within 2 miles each side of the ILS localizer NE course, extending from the 4-mile radius zone to 11 miles NE of the airport.

2. The Green Bay transition area is designated as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'-15" N., longitude 88°07'45" W.); within 2 miles each side of the Green Bay VORTAC 326° radial, extending from the 6-mile radius area to 8 miles NW of the VORTAC, and within 2 miles each side of the Green Bay ILS localizer SW course, extending from the 6-mile radius area to 8 miles SW of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 44°32'00" N., longitude 87° 46'20" W., thence E to latitude 44°32'00" N., longitude 87°27′00″ W., thence S along longitude 87°27′00″ W. to latitude 44°08'00" N., thence SW to Iatitude 44°-02'00" N., longitude 87°40'00" W., thence W along latitude 44°02'00" N. to the W boundary of V-217, thence NW along the W boundary of V-217 to latitude 44°-12'00" N., thence W along latitude 44°-12'00" N. to longitude 88°25'30" W., thence counterclockwise along the arc of a 16-mile radius circle centered on the Winnebago County Airport, Oshkosh, Wis. (latitude 43°59'20" N., longitude 88°33'15" W.) to longitude 88°37'00" W., thence N along longitude 88°37'00" N., to latitude 44°27'30" N., thence NE to latitude 44°31'20" N., longitude 88°29'55" W., thence clockwise via the arc of an 18mile radius circle centered on the Austin-Straubel Airport to the point of begin-

The FAA, having completed a comprehensive review of the designation of controlled airspace in the Green Bay terminal area, has under consideration the following airspace actions:

1. Redesignate the Green Bay control zone as that airspace within a 5-mile radius of Austin-Straubel Airport, Green

Bay. Wis. (latitude 44°29'15" N., longitude 88°07'45" W.); within 2 miles each side of the Green Bay VORTAC 146° radial extending from the 5-mile radius zone to the VORTAC; and within 2 miles each side of the Green Bay ILS localizer SW course extending from the 5-mile radius zone to the OM.

2. Redesignate the Green Bay, Wis., transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of Austin-Straubel Airport, Green Bay, Wis. (latitude 44°29'15" N., longitude 88°07'45" W.); within 2 miles each side of the Green Bay VORTAC 326° radial extending from the 6-mile radius area to 8 miles NW of the VORTAC; and within 2 miles each side of the Green Bay ILS localizer SW and NE courses, extending from 8 miles SW to 21 miles NE of the OM; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning latitude 44°32'00" N., longitude 87°44′30″ W.; thence to latitude 44°32′00″ N., longitude 87°27′00″ W.; thence south along longitude 87°-27'00" W. to latitude 44°08'00" N.; thence to latitude 44°02'00" N., longitude 87°40'00" W.; thence west along latitude 44°02'00" N. to the west boundary of V-217; thence northwest along the west boundary of V-217 to latitude 44°12'00" N.; thence west along latitude 44°12′00′′ N. to longitude 88°25'30" W.; thence counterclockwise along an arc of a 16mile radius circle centered on Winnebago County Airport, Oshkosh, Wis. (latitude 43°59'20''N., longitude 88°33'15'' W.) to longitude 88°37′00′′ W.; thence north along longitude 88°37′00′′ W. to latitude 44°27'30" N.; thence northeast to latitude 44°31′20" W., longitude 88°29'55" W.; thence clockwise along the arc of an 18-mile radius circle centered on Austin-Straubel Airport to the east edge of V-7; thence northeast along the east edge of V-7 to intersect an arc of a 20-mile radius centered on Austin-Straubel Airport; thence clockwise along the 20-mile radius arc to the point of beginning.

The actions proposed herein would increase the basic radius size of the Green Bay control zone from 4 to the normal 5 miles, and eliminate the northeast control zone extension. The portion of the transition area proposed with a floor of 700 feet above the surface adds an extension to the northeast and would provide protection for aircraft executing that portion of the prescribed ILS-24 approach procedure conducted beyond the limits of the Green Bay control zone and below the base of the proposed 1200 foot transition area to the northeast. This extension would eliminate the northeast control zone extension which would no longer be required for air traffic control purposes. The portion of the proposed transition area with a floor of 1200 feet above the surface is required to protect aircraft in the Stadium Intersection holding pattern.

Certain minor revisions to prescribed instrument procedures would accompany

the actions proposed herein, but operational complexities would be reduced. Aircraft performance characteristics and established landing minimums would not be adversely affected.

Specific details of the changes to procedures that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director. Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Central Region Air Traffic Division Chief. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Kansas City, Mo., on August 21, 1964.

> J. M. BEARDSLEE, Director, Central Region.

[F.R. Doc. 64-8829; Filed, Aug. 31, 1964; 8:46 a.m.j

DEPARTMENT OF LABOR

Office of the Secretary [29 CFR Parts 1, 5]

FEDERALLY FINANCED AND ASSISTED CONSTRUCTION

Proposed Amendments Relating to Davis-Bacon Act Fringe Benefits Requirements

Correction

In F.R. Doc. 64-8714, appearing at page 12373 of the issue for Friday, August 28. 1964, the fourth sentence of § 5.29(f) should read as follows: "While each situation must be separately considered on its own merits, payments made for travel, subsistence or to industry promotion funds are not normally payments for fringe payments under the Act.".

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary
UNIVERSAL SERIES H REISSUE BOND

Notice of Use

Notice is hereby given that effective October 1, 1964, a punch card bond of a single form and design, hereinafter referred to as the "Universal Series H Reissue Bond", will be used for reissue transactions in United States Savings Bonds of Series H regardless of the issue dates of the bonds submitted for reissue.

The term "reissue" includes but is not limited to those transactions involving the issuance of new bonds to show a change in registration, for example, reissue in the names of surviving beneficiaries or coowners or, where there are no such survivors, in the names of the legatees under the will or the next of kin of a deceased owner. The new bonds in such cases bear the same issue dates (that is, the same month and year) as the original bonds and have the same rights and privileges as the originals.

The universal Series H reissue bond (a specimen of which is filed herewith) issued upon reissue on and after October 1, 1964, will also bear the same issue dates and will have the same rights and privileges as the bonds submitted for reissue. In short, the use of the new universal Series H reissue bond will in no way abridge the rights and privileges of the owners of the original bonds or of their successors in title.

Slightly different in form and design but not in substance, the universal Series H reissue bond is the result of the continuous sale of United States Savings Bonds of Series H over a period of more than 12 years, and the changes which have been made from time to time in the investment yields of those securities.

Series H bonds were originally offered for sale at an investment yield, if held to maturity, of 3 percent compounded semiannually. From time to time new Series H bonds with investment yields of 3½ percent and 3½ percent, all compounded semiannually, if held to maturity, have been offered for sale. With each change new stocks of bonds were printed specifically stating the term of maturity on their face with tables on the reverse consistent with the rate and terms of the bonds.

Accordingly, the Federal Reserve Banks and Branches have been maintaining stocks of each of the three types of Series H bonds so that in cases of reissue they can deliver bonds of exactly the same design as the bonds submitted for reissue. In some reissue transactions all three types of bond stock are used.

However, because of changes in interest yields and extensions of maturity dates many of the original bond designs do not show the current terms of such bonds. The universal Series H reissue bond is designed to eliminate the cum-

bersome and costly procedure of maintaining three different bond designs. Unlike the Series H bonds issued on original issue, the universal Series H reissue bond will not specifically state the term of maturity on its face but will refer to a table on the back which will show the term of maturity by reference to issue date.

As the univerial Series H reissue bond indicates, the term of maturity actually depends upon the issue date of the original bond. The tables showing the amounts of interest payable have been omitted from the universal Series H reissue bond. With the exception of the Series H bond currently on sale, which has an investment yield of 3% percent compounded semiannually if held to maturity-10 years from the issue date, the tables on all other stocks of bonds are obsolete, because the amounts of interest payable on all such bonds for the remaining period to original maturity or extended maturity were increased under the terms of Department Circular No. 905, Second Revision, dated September 23, 1959.

In order to ascertain the amounts of interest payable on outstanding Series H bonds issued prior to June 1, 1959, or on the universal Series H reissue bond, at any time, owners may contact their local banks or other financial institutions or the Federal Reserve Bank, or Branch, of the district, or the Bureau of the Public Debt, Division of Loans and Currency Branch, 536 South Clark Street, Chicago, Illinois, 60605.

[SEAL] GEORGE F. STICKNEY, Deputy Fiscal Assistant Secretary.

[F.R. Doc. 64-8902; Filed, Aug. 31, 1964; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management [Montana 066904]

MONTANA

Order Providing for Opening of Public Lands

AUGUST 21, 1964.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), the following described lands have been reconveyed to the United States:

Principal Meridian, Montana

T. 36 N., R. 35 E., Sec. 23, S½ SE¼.

The area described contains 80 acres.

2. The area described is moderate

2. The area described is moderately rolling grazing land located 36 miles north of Hinsdale, Mont., in Valley County. The land supports an average stand of native grass. The soil is a sandy clay loam with several occurrences of gravel and cobble areas. Rough to-

pography coupled with a short growing season and limited rainfall make the lands unsuitable for intensive agricultural use.

3. No application for these lands will be allowed under the homestead, desert land, or any other nonmineral public land law, unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of a petition-application. Any petition-application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 1 hereof, are hereby opened to the filing of petition-applications, selections, and locations in accordance with the following:

(a) Petition-applications and selections under the nonmineral public land laws, except applications under the Small Tract Act, may be presented to the Manager mentioned below, beginning on the date of this order. Such petition-applications and selections will be considered as filled on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid petition-applications and selections under the nonmineral public land laws presented prior to 10 a.m., September 25, 1964, will be considered as simultaneously filed at that hour. Rights under such petition-applications and selections filed after that hour will be governed by the time of filing.

(b) The mineral rights in the lands described in paragraph 1 have been retained by the previous owner, as provided in section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing petition-applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

6. Inquiries concerning these lands should be addressed to the Land Office Manager, Montana Land Office, 1245 North 29th Street, Billings, Mont., 59101.

R. PAUL RIGTRUP, Manager, Land Office.

[F.R. Doc. 64-8844; Filed, Aug. 3, 1964; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary **ARKANSAS**

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafternamed counties in the State of Arkansas a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

ARKANSAS

Howard. Bradley. Lafavette. Calhoun. Clark. Nevada. Cleveland. Ouachita. Columbia. Pike. Pulaski. Dallas. Saline. Drew. Sevier. Grant. Union. Hempstead.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1965, except to applicants who previously received emergency or special. livestock loan assistance and who can qualify under established policies and procedures.

day of August, 1964.

CHARLES S. MURPHY, Acting Secretary.

[F.R. Doc. 64-8876; Filed, Aug. 31, 1964; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File 22-65]

FIRMA A. BAKKEREN

Order Temporarily Denying Export Privileges

In the matter of A. Bakkeren doing business as Firma A. Bakkeren, Kerkhofweg 3, Breda, The Netherlands, Respond-

ent; File 22-65.
The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, pursuant to the provisions of § 382.11 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations), has applied to the Compliance Commissioner for an order temporarily denying all export privileges to the above named respondent. It was requested that the order remain in effect for a period of sixty days pending continued investigation into the facts and transactions giving rise to the application and the commencement of such proceedings as may be deemed proper under the law against said respondent.

The Compliance Commissioner has reviewed the application and the evidence presented in support thereof and has

submitted his report, together with his recommendation that the application be granted and that a temporary denial order be issued for 60 days.

The evidence and recommendation of the Compliance Commissioner have been The evidence presented considered. shows that the respondent A. Bakkeren, doing business as Firma A. Bakkeren, is a dealer in automotive and truck parts and has a place of business in Breda, The Netherlands and he has engaged in importing such commodities from the United States. There is substantial basis to believe that the respondent: knowingly has engaged in trade and participated in transactions, involving commodities exported from the United States, with persons who have been denied U.S. export privileges under the U.S. Export Control Act and regulations; has acted in concert with others to bring about violations of said Act and regulations; has engaged in obtaining commodities of U.S. origin and diverted, transshipped, and reexported such commodities in contravention of said Act and regulations. There is also reasonable basis to believe that said respondent will continue such conduct in contravention of said Act and regulations unless U.S. export privileges are temporarily denied. I find that an order temporarily denying export privileges to the respondent is reasonably necessary for the protection of the public interest and national security.

Accordingly, it is hereby ordered:

I. All outstanding validated export li-Done at Washington, D.C., this 26th censes in which respondent appears or -participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International

Commerce for cancellation.

II. The respondent, his successors or assigns, partners, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Regulations. Without limitation of generality of the foregoing, participation prohibited in any such transaction, either in the U.S. or abroad, shall include participation, directly or indirectly, in any manner or capacity, (a) as a party or as a representative of a party to any validated export license application, (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control document, (d) in the carrying on of negotiations with respect to, or in thé receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States, and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent. but also to his agents and employees and to any successor and to any person, firm, corporation, or business organi-

zation with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall take effect forthwith and shall remain in effect for a period of 60 days from the date hereof. unless it is hereafter extended, amended, modified, or vacated in accordance with the provisions of the U.S. Export Control Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondent or any related party, or whereby the respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States. by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondent.

VII. In accordance with the provisions of Section 382.11(c) of the Export Regulations, the respondent may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C. at the earliest convenient

This order shall become effective forth-

Dated: August 25, 1964.

WILSON E. SWEENEY, Acting Director. Office of Export Control.

[F.R. Doc. 64-8855; Filed, Aug. 31, 1964; 8:48 a.m.1

DEPARTMENT OF HEALTH, EDU-CATION, AND WELFARE

Food and Drug Administration ATOMIC ENERGY COMMISSION

Notice of Filing of Petition Regarding Food Additive Cesium 137

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 12482 **NOTICES**

409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 5M1509) has been filed by United States Atomic Energy Commission, Washington, D.C., 20545, proposing an amendment of § 121.3003 of the food additive regulations to provide for the safe use of cesium 137 as a source of gamma radiation in the irradiation of potatoes, wheat, and wheat products.

Dated: August 25, 1964.

MALCOLM R. STEPHENS. Assistant Commissioner for Regulations.

[F.R. Doc. 64-8863; Filed, Aug. 31, 1964; 8:49 a.m.]

Office of the Secretary . **PUBLIC HEALTH SERVICE**

Statement of Organization and **Delegations of Authority**

The Statement of Organization and Delegations of Authority of the Department of Health, Education, and Welfare (22 F.R. 1045, as amended by 28 F.R. 10433, 11647, and 13374) is hereby revised as follows:

Part 4, entitled "Public Health Service," section 4.20, paragraph b, is hereby amended by adding a new subparagraph

15 as follows:

(15) Subject to general policy guidance from the Office of the Secretary all program operating functions vested in the Secretary by the Clean Air Act (P.L. 88-206, 42 U.S.C. 1857, et seq.), except the making of regulations authorized by section 8.(a); the submission to the Congress of reports required by sections 6.(b) and 7.(b); the actions specified in section 5 with respect to conferences authorized by 5.(c) (1), recommendations authorized by 5.(d), public hearings activities authorized by 5.(e) (1) and 5.(h), findings, recommendations, and notices authorized by 5.(e)(3), requests to the Attorney General authorized by 5.(f), and forfeitures authorized by 5.(i) (2); the appointment of the technical committee on automotive vehicles an fuel pollution under section 6.(a); and the establishment of classes of potential pollution sources and the issuance of permits under section 7.(b).

Dated: August 21, 1964.

[SEAL] ANTHONY J. CELEBREZZE, Secretary, Department of Health, Education, and Welfare.

[F.R. Doc. 64-8864; Filed, Aug. 31, 1964; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-173]

LOCKHEED AIRCRAFT CORP.

Withdrawal of Application for Facility License

Please take notice that the Lockheed Aircraft Corporation, by letter dated June 26, 1964, has withdrawn its application for a license to operate the Critical Experiment Reactor located at Georgia

Nuclear Laboratories in Dawson County.

Notice of the receipt of the application was published in the Federal Register on May 2, 1962.

Dated at Bethesda, Md., this 21st day of August 1964.

For the Atomic Energy Commission.

ROGER S. BOYD, Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64-8814; Filed, Aug. 31, 1964; 8:45 a.m.]

[Docket No. 50-84]

REGENTS OF UNIVERSITY OF **CALIFORNIA**

Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 6, set forth below, to Facility License No. R-30. The license authorizes the Regents of the University of California (the licensee) to operate their nuclear reactor, Model AGN-201, Serial No. 112, on the University's campus in Berkeley, Calif.

The amendment authorizes the licensee to modify the reactor's scram circuitry system, and to operate the reactor with the modified circuitry, as described in the application for license amend-ment dated January 10, 1964, and supplement thereto dated February 17, 1964, subject to a condition which corrects a discrepancy in the drawings submitted with the application.

The Commission has found that:

1. The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

2. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated;

3. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety

of the public. Within fifteen (15) days from the date of publication of this notice in the FED-ERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. A request for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice; the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the application for license amendment and supplement thereto, and (2) a related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division

of Reactor Licensing, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 24th day of August 1964.

For the Atomic Energy Commission.

ROGER S. BOYD, Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[License No. R-30 Amdt. No. 6]

Facility License No. R-30, as amended, which authorizes the Regents of the University of California to operate their nuclear reactor, Model AGN-201, Serial No. 112, on the University's campus in Berkeley, California, is hereby further amended to authorize modification of the reactor's scram cir-cuitry system, and subsequent operation of the reactor with the modified circuitry as described in the application for license amendment dated January 10, 1964, and supplement thereto dated February 17, 1964, subject to the following condition:

1. Light I-7 and resistor R-26 shall be in parallel only with fuse F–1 as shown in draw-

ing 2-000721.
This amendment is effective as of the date

Date of Issuance: August 24, 1964. For the Atomic Energy Commission,

> Chief, Research and Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64-8815; Filed, Aug. 31, 1964; 8:45 a.m.]

BUREAU OF THE BUDGET

COST OF HOSPITAL AND MEDICAL **CARE AND TREATMENT FURNISHED** BY UNITED STATES

Establishment and Determination of Certain Rates for Use in Connection With Recovery From Tortiously **Liable Third Persons**

By virtue of the authority vested in the President by section 2(a) of the Act of September 25, 1962 (Public Law 87-693; 76 Stat. 593) and delegated to the Director of the Bureau of the Budget by section 1 of Executive Order No. 11060 of November 7, 1962 (27 F.R. 10925), the following rates are established for use in connection with the recovery, as authorized by such Act, from tortiously liable third persons of the cost of hospital and medical care and treatment furnished by the United States (Part 43 of Chapter I of Title 28 of the Code of Federal Regulations), and have been determined to represent the reasonable value of hospital, medical, surgical or dental care and treatment (including prostheses and medical appliances) furnished or to be furnished:

(a) For such care and treatment furnished by the United States in Federal hospitals, with the exception of Freedmen's Hospital, Washington, D.C., and Canal Zone Government Hospitals—

The rates prescribed herein supersede those established for such care and treatment by the Director of the Bureau of the Budget on October 22, 1963 (28 F.R. 11516 and 28 F.R. 12104), for the period beginning September 1, 1964. The rates previously established on October 22, 1963, for care and treatment in facilities not operated by the United States, at Freedman's Hospital, Washington, D.C., and at Canal Zone Government Hospitals, shall remain in effect.

ELMER B. STAATS, Acting Director, Bureau of the Budget.

AUGUST 25, 1964.

[F.R. Doc. 64-8856; Filed, Aug. 31, 1964; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 15333]

AEROLINEAS EL SALVADOR, S.A.

Foreign Permit Renewal; Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on September 14, 1964, at 10:00 a.m., d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., August 26, 1964.

[SEAL]

James S. Keith, Hearing Examiner.

[F.R. Doc. 64-8830; Filed, Aug. 31, 1964; 8:46 a.m.]

[Docket 15234]

INTERNATIONAL TOURS AND JACK E. HUMMEL

Enforcement Proceeding; Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on October 13, 1964, at 10:00 a.m. e.d.s.t., in Room 925, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Dated at Washington, D.C., August 26, 1964.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 64-8832; Filed, Aug. 31, 1964; 8:46 a.m.]

[Docket 13122]

SERVICE TO COLUMBUS, NEBR.

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1953, as amended, that oral argument in the above-entitled proceeding is assigned to be heard on September 30, 1964, at 10:00 a.m., e.d.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., August 26, 1964.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 64-8833; Filed, Aug. 31, 1964; 8:46 a.m.]

[Docket 15432]

SERVICE TO GLENS FALLS, N.Y. Notice of Prehearing Conference

Notice is hereby given that a prehearing conference is assigned to be held in the above-entitled proceeding on September 18, 1964, at 10:00 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., August 25, 1964.

[SEAL]

Francis W. Brown, Chief Examiner.

[F.R. Doc. 64-8834; Filed, Aug. 31, 1964; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15438, 15439; FCC 64M-815]

MARINE BROADCASTING CORP. AND ONSLOW BROADCASTING CORP.

Order Continuing Hearing

In re applications of Marine Broadcasting Corporation, Jacksonville, North Carolina, Docket No. 15438, File No. BPH-4190; Onslow Broadcasting Corporation, Jacksonville, North Carolina, Docket No. 15439, File No. BPH-4281; for construction permits.

The Chief Hearing Examiner having under consideration a petition in behalf of Marine Broadcasting Corporation, filed August 25, 1964, requesting continuances of the prehearing conference and formal hearing presently scheduled for September 2 and September 21, 1964, respectively;

It appearing that good cause has been shown to exist in support of the instant pleading and that the Commission's Broadcast Bureau and Onslow Broadcasting Corporation consent to a one-month continuance of the hearing proceedings herein;

It is ordered, This 26th day of August 1964, that the petition is granted and that the prehearing conference in the above-entitled proceeding is hereby con-

tinued from September 2 to October 7, 1964, and that the commencement of hearing in said proceeding is continued from September 21 to October 28, 1964.

Released: August 26, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE, Secretary.

[F.R. Doc. 64-8867; Filed, Aug. 31, 1964; 8:49 a.m.]

[Docket Nos. 15449, 15450; FCC 64M-814]

SPRINGFIELD TELECASTING CO. AND MIDWEST TELEVISION, INC.

Order Continuing Hearing

In re applications of Springfield Telecasting Co., Springfield, Illinois, Docket No. 15449, File No. BPCT-2838; Midwest Television, Inc., Springfield, Illinois, Docket No. 15450, File No. BPCT-2846; for construction permits for new television broadcast stations.

Upon oral request made this date by counsel for applicant Midwest Television, Inc., based on an unforeseen conflict in his trial commitments, and with the informal consent of counsel for all other parties: It is ordered, This 25th day of August 1964, that the Hearing Conference heretofore scheduled for September 15, 1964, is hereby postponed to September 18, 1964, at 9:00 a.m., in the offices of the Commission at Washington, D.C.

Released: August 26, 1964.

Federal Communications Commission,

[SEAL] BEN F. WAPLE, Secretary.

[F.R. Doc. 64–8868; Filed, Aug. 31, 1964; 8:49 a.m.]

[Docket Nos. 15584, 15585; FCC 64M-816]

VAUGHN-HANSSEN CO. AND CAPE CANAVERAL BROADCASTERS, INC.

Order Scheduling Hearing

In re applications of R. A. Vaughn and Thomas R. Hanssen d/b as Vaughn-Hanssen Company, not incorporated, Melbourne, Florida, Docket No. 15584, File No. BP-14921; Cape Canaveral Broadcasters, Incorporated, Eau Gallie, Florida, Docket No. 15585, File No. BP-15570; for construction permits.

It is ordered, This 26th day of August 1964, that Chester F. Naumowicz, Jr., shall serve as the presiding officer in the above-entitled proceeding; that the hearings therein shall commence at 10:00 a.m. on November 4, 1964; and that a prehearing conference shall be convened at 9:00 a.m. on October 1, 1964; and It is further ordered, that all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: August 26, 1964.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, Secretary.

[F.R. Doc. 64-8869; Filed, Aug. 31, 1964; 8:49 a.m.]

12484 NOTICES * '

FEDERAL MARITIME COMMISSION

INDUSTRIAL MOLASSES CORP. AND GREATER BATON ROUGE PORT COMMISSION

Notice of Agreements Filed for Approval

Notice is hereby given that the following Agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreements at the offices of the District Managers New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REG-ISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval

Industrial Molasses Corp., 321 Fort Lee Road,

Agreement No. T-556, between Industrial Molasses Corporation (Industrial) and the Greater Baton Rouge Port Commission (Port), provides for Industrial's lease of a molasses storage and handling facility at the Port. Industrial agrees that its rates and charges will be subject to approval by the Port. Industrial has the exclusive right to operate the Port's present molasses facilities, and the right of first refusal to operate any additional molasses facilities constructed by the Port.

Dated: August 27, 1964.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY. Special Assistant to the Secretary.

[F.R. Doc. 64-8857; Filed, Aug. 31, 1964; 8:48 a.m.1

FEDERAL POWER COMMISSION

[Docket No. CP64-306]

CITIES SERVICE GAS CO.

Notice of Application

- August 25, 1964.

Take notice that on June 23, 1964, as amended and supplemented on July 9 and July 27, 1964, respectively, Cities Service Gas Co. (Applicant), First National Building, Oklahoma City 1, Okla., filed in Docket No. CP64-306, an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission to abandon facilities and for a certificate of public convenience and necessity au- is timely filed, or where the Commission

thorizing the construction and operation of facilities and the transportation of natural gas in interstate commerce to the Lakeview Alfalfa Dehydrator Plant of National Alfalfa Dehydrating and Milling Co. (National) in Douglas County, Kans., all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant in order to continue to serve the present and future requirements of the Lakeview plant proposes to construct and operate a tap on its Lawrence powerplant 16-inch pipeline, and a 3-inch pipeline extending 8000 feet from that point to the Lakeview plant, together with metering and regulating facilities at the terminal point thereof. Applicant proposes to sell and deliver up to an estimated maximum day of 800 Mcf of natural gas on an interruptible basis the estimated natural gas requirements of the existing and future proposed alfalfa dehydrator plant of National near Lakeview, Douglas County, Kans.

The application states Applicant has been selling volumes of natural gas to National (or its predecessors) since March, 1947, for use in its Lakeview plant, with deliveries being made at Applicant's metering and regulating station for further transportation by National through National's pipeline to its said plant. Four landowners along National's right-of-way have been served. by National and have been advised such service will cease. Due to the deterioration of National's line, and at National's request for additional service the facilities herein proposed are necessary.

Applicant proposes to reclaim existing metering and regulating facilities proposed to be abandoned presently located at the point of connection between Applicant's Lawrence powerplant 16-inch pipeline and National's present 3-inch pipeline in the SE¼ of the SW¼ of section 14, Township 12 South, Range 19 East, in Douglas County, Kans., upon completion of the facilities proposed herein.

The total estimated cost of the proposed facilities with allowance for a salvage credit of \$1,180.00 is \$14,300.00, and will be defrayed from treasury cash on hand.

A temporary certificate was issued to Applicant on August 6, 1964.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that. pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene

on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Appendique de la compansión de la compan

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1:8 or 1.10) on or before September 15, 1964.

> JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 64-8835; Filed, Aug. 31, 1964; 8:46 a.m.]

HOPE NATURAL GAS CO.

Order Permitting Intervention and Fixing Dates of Prehearing Conference and Hearing

AUGUST 25, 1964.

A "Notice of Application" was issued in Docket No. CP63-272 on July 17, 1964, and published in the Federal Register on July 23, 1964. Thereafter petitions seeking leave to intervene in the aboveentitled proceeding were filed on the dates indicated:

Petitioners Dates filed Sept. 13, 1963 a Aug. 6, 1964 County of Allegheny, Pa____ Empire Gas and Fuel Co., jointly with Iroquois Gas Corp., Pennsylvania Gas Co. and United Natural Gas Co. New York State Electric & Aug. 6, 1964 Gas Corp. lagara Mohawk Power Aug. 7, 1964 Texas Eastern Transmission Aug. 7, 1964 Corp. Rochester Gas and Electric Aug. 10, 1964

"Notices of Intervention" were filed by the City of Cleveland, Ohio, and the Pennsylvania Public Utility Commission on August 6, 1964, and by the City of Canton, Ohio, on August 10, 1964.

The Commission finds:

(1) It is desirable and in the public interest to allow the petitioners to intervene in this proceeding in order thatthe petitioners may establish the facts and law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

(2) It is proper and in the public interest that a prehearing conference be conducted herein in order to simplify and clarify the issues and to expedite the orderly conduct and disposition of the

hearing.

(3) Although the "Petitions to Intervene" filed by The Pavilion Natural Gas

¹ 29 F.R. 9916.

The County of Allegheny filed on Aug. 7, 1964, by letter dated Aug. 6, 1964, a modification and renewal of its original petition for leave to intervene.

Company and the Rochester Gas and Electric Company and the "Notice of Intervention" filed by the city of Canton were not timely filed, good cause exists to permit the late filing.

The Commission orders:

. (A) Pursuant to § 1.18(c) of the Commission's rules of practice and procedure a prehearing conference shall be held commencing September 24, 1964, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by Hope Natural Gas Company's application in Docket No. CP63-272.

(B) Pursuant to the authority contained in, and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, including particularly sections 7, 15, and 16, and the Commission's rules and regulations under that Act, a public hearing shall be held commencing October 6, 1964, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., 20426, concerning the matters involved in and the issues presented by Hope Natural Gas Company's application in Docket No. CP63-272.

(C) Hope Natural Gas Company shall, on or before September 10, 1964, file with the Commission and serve on all parties to this proceeding all exhibits and testimony of all witnesses to be sponsored by it in support of its case-in-chief, and the hearing shall thereafter be conducted pursuant to § 2.62 of the Commission's rules of practice and procedure, as amended by Order No. 280 issued March 31, 1964, in Docket No. R-240.

(D) The above-named petitioners be and they are hereby permitted to become interveners in the above-entitled proceeding subject to the rules and regulations of the Commission: Provided, however, That the participation of such interyeners shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene: And provided, further. That the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 64-8836; Filed, Aug. 31, 1964; 8:45 a.m.]

[Docket Nos. CP64-274, CP64-275]

NORTHERN NATURAL GAS PIPELINE CO. AND NORTHERN NATURAL GAS CO.

Notice of Applications

AUGUST 25, 1964.

Take notice that on May 13, 1964, as supplemented on June 24, 1964, Northern Natural Gas Pipeline Co. (Pipeline), 2223 Dodge Street, Omaha, Nebr., 68101, filed in Docket No. CP64–274, an appli-

cation pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of an 8-inch side valve on its 12-inch transmission line in Sutton County, Tex., and to transport natural gas for Northern Natural Gas Co. (Northern) from said point to a redelivery point on Northern's system in Schleicher County, Tex., all as more fully set forth in the application on file with the Commission and open to public inspection.

Take further notice that on May 13, 1964, Northern Natural Gas Co. (Northern), 2223 Dodge Street, Omaha, Nebr., filed in Docket No. CP64-275, an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of transmission pipeline facilities in Sutton County, Tex., extending from a new gas supply area in the South Sonora Field in Sutton County, Tex., to a point of connection with Northern Pipeline's transmission line in Sutton County, Tex.; and the transportation of natural gas from said field to the point of delivery on Pipeline's line, all as more fully set forth in the application on file with the Commission and open to public inspection.

The respective applications state that Northern has contracted for an additional supply of gas located in the South Sonora Field in Sutton County, Tex. (116,964 MMcf), which it proposes to connect to its system by means of new facilities consisting of 11.3 miles of 10-inch, 8-inch and 4-inch line together with five 4-inch measuring stations and one 6-inch meter run and dehydration and processing plant to be constructed in Sutton County, Tex., and by utilizing the pipeline system of Pipeline, its subsidiary and the new facilities proposed by the subsidiary in Docket No. CP64-274.

The estimated cost of facilities proposed by Pipeline and Northern is \$2,520.00 and \$387,660.00 respectively, all of which will be defrayed from the current funds of the respective companies.

These matters are ones that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems_which would warrant a recommendation that the Commission designate these applications for formal hearings before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act. and the Commission's rules of practice and procedure, hearings may be held without further notice before the Commission on these applications provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 14, 1964.

> Joseph H. Gutride, Secretary.

[F.R. Doc. 64-8837; Filed, Aug. 31, 1964; 8:46 a.m.]

[Docket No. CP63-222]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Order Granting Motion for Oral Argument and Setting Date for Argument

AUGUST 25, 1964.

The Presiding Examiner issued his initial decision herein on June 5, 1964. Thereafter, a brief on exceptions thereto was filed on July 6, 1964, by interveners City Gas Company of New Jersey, Elizabethtown Consolidated Gas Company, New Jersey Natural Gas Company, Philadelphia Electric Company, Philadelphia Gas Works Division of The United Gas Improvement Company, Public Service Electric and Gas Company and South Jersey Gas Company. Said interveners also filed simultaneously with said brief on exceptions a motion for oral argument, pursuant to § 1.31 of the Commission's rules of practice and procedure. On July 6, 1964, the New Jersey Board of Public Utility Commissioners also filed a brief on exceptions adopting the exceptions filed by said distributor interveners. On July 27, 1964, Transcontinental Gas Pipe Line Corporation (Transco) and Texaco Inc. each filed a brief opposing the exceptions. On July 16, 1964, a joint answer to the motion for oral argument was filed by Transco and Texaco.

The Commission finds: It is reasonable and appropriate in the public interest that oral argument be had in this proceeding but should be limited as hereinafter ordered.

The Commission orders:

(A) Oral argument shall be held herein before the Commission on October 20, 1964, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. Said oral argument shall be limited to the following questions:

(1) Have facilities been constructed by Transco to render service for Texaco?

(2) Would the use of Transco's facilities to transport gas for Texaco preempt capacity that would otherwise be available to render additional service to resale customers?

(3) In connection with the future expansion of Transco's facilities would it be necessary for Transco to construct facilities in addition to those which would otherwise be required to meet the normal load growth in resale requirements in order to maintain transportation service for Texaco?

(4) Would the transportation by Transco of Texaco's natural gas consti-

tute any undue preference to Texaco and undue discrimination against Transco's resale customers with respect to rates, service or facilities?

(5) Whether the arrangement between Texaco and Transco involves a sale of gas by Texaco to Transco for resale by the latter so that the producer should be required to secure a certificate.

(B) Those parties to this proceeding who intend to participate in the oral argument shall notify the Secretary of the Commission on or before October 5, 1964, of such intention and of the time requested for presentation of such argument.

(C) With respect to issue 5 which is being raised sua sponte by the Commission, the parties may file briefs (of not more than 25 pages in length) on or before October 10, 1964 and all parties wishing to discuss this issue at the oral argument, who do not choose to file briefs thereon, shall file a statement on or before October 10, 1964 setting forth the position on the issue they propose to adopt.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE. Secretary.

[F.R. Doc. 64-8838; Filed, Aug. 31, 1964; 8:46 a.m.]

[Docket No. CP64-301]

UNITED GAS PIPE LINE CO. Notice of Application

AUGUST 25, 1964.

Take notice that on June 15, 1964, as supplemented on July 2, 1964, United Gas Pipe Line Co. (Applicant) filed in Docket No. CP64-301 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the enlargement and operation of certain measuring and regulating facilities serving the Clarke-Mobile Counties Gas District, located in Mobile County, Ala., all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes to enlarge and operate certain orifice measuring and regulating facilities serving the Clarke-Mobile Counties Gas District, located in section 13, Township 1 South, Range 1 West, Mobile County, Ala. Applicant states that the facilities are being enlarged in order to provide for the sale and delivery of natural gas to Allied Paper Corp., Mobile County, Ala., to meet the fuel requirements for the operation of purchaser's pulp mill located at Jackson, Clarke County, Ala. Applicant further states that the enlargement of the facilities for which a certificate is sought will cost \$2,284 and that during the third year of the contract it will sell and deliver to this customer approximately 1,575,000 Mcf of natural gas.

Applicant intends to finance the cost of the proposed project out of its current working funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that. pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 15, 1964.

> JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 64-8839; Filed, Aug. 31, 1964; 8:46 a.m.]

[Docket No. E-7045]

BUREAU OF RECLAMATION, DEPART-MENT OF THE INTERIOR

Eklutna Project, Alaska; Notice of Request for Approval of Rate Schedules

AUGUST 25, 1964.

Notice is hereby given that the Bureau of Reclamation, U.S. Department of the Interior (Reclamation), has filed with the Federal Power Commission pursuant to the Act of Congress of July 31, 1950 (64 Stat. 382), as amended, a request for confirmation and approval of proposed rate schedules for the sale of electric power and energy generated at the Eklutna Project (Eklutna), located in the vicinity of Anchorage, Alaska. The rate schedules for which approval is requested are designated A-F3 (superseding A-F2), A-N2 and A-L2, copies of which are set forth below.

By order issued August 1, 1957. Eklutna Project, Alaska, (18 FPC 97), the Commission confirmed and approved Rate Schedule A-F2 and related General Rate Schedule Provisions and Rate Schedules A-L2 and A-N2 for the sale of Eklutna electric power and energy during an interim period not to exceed 5 years from August 4, 1957. By order issued April 17, 1963, Eklutna Project, Alaska (29 FPC 770), the Commission extended its confirmation and approval of those schedules until August 4, 1964. Reclamation represents that the level of rates in the proposed rate schedules are identical with those contained in the rate schedules approved by the Commission on April 17, 1963, and that the conditions set forth in the proposed rate schedules are identical with those contained in the

schedules approved by the Commission on April 17, 1963 except that Schedule A-F3 has been modified to include an article providing for auxiliary power service which contains provisions insuring that the power and energy reserved in power sales contracts under that schedule will be purchased and used as a part of the customer's system power

Proposed Rate Schedules A-F3, A-N2, and A-L2 are on file with the Commission for public inspection. Any person desiring to make comments and suggestions for Commission consideration with respect to the proposed rate schedules should submit the same in writing on or before September 18, 1964, to the Federal Power Commission, Washington, D.C., 20426.

> JOSEPH H. GUTRIDE, Secretary.

ATTACHMENT A

U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, ALASKA DISTRICT

Eklutna Project, Alaska

Interim schedule of rates for wholesale firm power service

(Schedule A-F3 supersedes Schedule A-F2)

August 4, 1964, for a period of 1 year. (Confirmed and approved by Federal Power Commission on ___

Available;

In the area served by the Eklutna Project, Alaska.

Applicable:

To wholesale power customers for general power service supplied through one meter at one point of delivery. Not applicable to standby or auxiliary service, except that service auxiliary to other power supply will be permitted under appropriate contract terms.

Character and Conditions of Service:

Alternating current, 60 cycles, 3-phase, delivered and metered at the low-voltage side of substation.

Monthly Rate:

Capacity charge: \$2.25 per kilowatt of billing demand.

Energy charge: All energy at 6.0 mills per kilowatt-hour.

Minimum Annual Capacity Charge:

For first 12 full billing periods—\$21.60 per kilowatt of 80 percent of contract rate of delivery.

For second 12 full billing periods—\$21.60 per kilowatt of 90 percent of contract rate of delivery.

For each 12 subsequent billing periods— \$21.60 per kilowatt of 100 percent of contract rate of delivery.

Subsequent increases in rates of delivery after initial service shall each be considered in like manner.

Billing Demand:

The billing demand will be the highest 30minute integrated demand measured during the month.

Adjustments:

For character and conditions of service: If delivery is made at transmission voltage so that the United States is relieved of substation costs, 5 percent discount will be allowed on the capacity and energy charges.

For transformer losses: If delivery is made at the high-voltage side of the customer's substation but metered at the low-voltage side, the meter readings will be increased 2

percent to compensate for transformer losses.

For power factor: None, The customer will normally be required to maintain a

power factor at the point of delivery of between 90 percent lagging and 90 percent leading.

For auxiliary power service: Auxiliary power supplies may be used in conjunction with the service hereunder if the parties hereto, prior to the Contractor's utilization of any such auxiliary power supply, have entered into a written operating agreement defining the procedures by which the amount of power and energy supplied by the United States will be determined. Such procedures shall be developed in conformity with the following principles:

(1) The obligation of the United States for each billing period shall be proportionate to the contract rate or rates of delivery provided for herein as related to the Contractor's system annual maximum requirement, and shall generally parallel the normal load fac-tor and the load patterns of the Contractor's system load.

(2) The Contractor shall have an obligation in each billing period to take and/or pay for not less than 90 percent of the power and energy for which the United States has obligated itself under (1) above.

The agreement shall include such other particulars as are necessary to determine the amounts of power and energy supplied by the United States.

ATTACHMENT B

U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, ALASKA DISTRICT

Eklutna Project, Alaska

Interim Schedule of Rates for Nonfirm Service

(Schedule A-N2 supersedes Schedule A-N1)

Effective:

August 4, 1964, for a period of 1 year. Confirmed and approved by Federal Power Commission on ______).

Anailable:

In the area served by the Eklutna Project,

Applicable:

To customers normally maintaining generating facilities or other sources of energy sufficient to supply their requirements when dump energy is not available.

Character and Conditions of Service:

Alternating current, 60 cycles, 3-phase, delivered and metered at points of delivery and voltage to be determined by the Bureau of Reclamation. Where the customer is a contractor for firm power service, dump energy will not be delivered during customer's peak load period until customer has taken firm power and firm energy in an amount determined by the following formula (X/Y shall never be greater than one):

Firm Power Delivery= $X/Y \times D$

Firm Energy= $X/Y\times E$

Where X=The contract rate of delivery for firm power provided in the contract.

> Y=The Contractor's highest total 30-minute integrated system demand, hereinafter called system demand, occurring during the annual period ended with the December billing period pre-ceding; *Provided*, That when in the current billing period the Contractor's system demand ex-ceeds the Factor Y as then effective the current period's system demand shall be used as Factor Y in the current and succeeding billing periods of the current annual period.

> D=The Contractor's system demand in the current billing month.

> E=The Contractor's system energy requirements in the current billing month.

Appropriate allowance shall be made for transfer to or acquisition from other power systems of power loads in the annual determination of Factor Y.

Monthly Rate:

Demand charge: None.

Energy charge: 6.0 mills per kilowatt-hour for all energy taken under this schedule.

Minimum Bill: None.

Adjustments:

For character and conditions of service: None.

For transformer losses: If delivery is made at the high-voltage side of the customer's substation but metered at the low-voltage side, the meter readings will be increased 2 percent to compensate for transformer losses.

For power factor: None. During periods when the United States is supplying dump energy to the customer, the United States will supply such reactive power therewith as the customer may require to the extent the United States, in its determination, has it available for the customer. The customer will cooperate with the United States by so utilizing its generating units then in operation as to minimize its reactive requirements from the United States or as to supply the United States with reactive power when feasible and desired. The requirements of the customer for reactive power or its ability to supply reactive power may be considered by the United States in determing the availability of dump energy.

ATTACHMENT C

U.S. DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, ALASKA DISTRICT

Eklutna Project, Alaska

Interim schedule of rates for domestic retail service

(Schedule A-L2 supersedes Schedule A-L1)

Effective:

August 4, 1964, for a period of 1 year. (Confirmed and approved by Federal Power Commission on _____

Available:

At towns, camps, and installations operated in connection with construction or operation and maintenance of Federal projects for service supplied over low-voltage distribution systems owned by the Government.

Applicable:

To domestic or residential customers for light, heat (exclusive of house heating) and power service.

Character and Conditions of Service:

Alternating current, 60 cycles, single phase, delivered and metered at a nominal voltage of 115 or 230 volts.

4-Week Period Rate:

Demand charge: None.

Energy charge: First 50 kilowatt-hours at 4 cents per kilowatt-hour. Next 150 kilowatt-hours at 2 cents per kilowatt-hour. Balance of energy used at 11/4 cents per kilowatt-hour.

Minimum Bill:

\$1.00 per 4-week period.

[F.R. Doc. 64-8840; Filed, Aug. 31, 1964; 8:47 a.m.]

SMALL BUSINESS ADMINISTRA-· TION

[Delegation of Authority No. 30-I]

BOSTON REGIONAL AREA

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of

Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

- 3. To approve the following:
- a. Business Loans-
- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$250,-000.

b. Disaster Loans

- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$150,-000.
- 4. To decline business and disaster loans of any amount.
- 5. To disburse unsecured disaster loans.
- 6. To enter into business loan and disaster loan participation agreements with banks.
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator

(Name) (Title of person signing)

- 8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent annum on the outstanding balance on construction loans and loans involving receivable and inventory accounts financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act

and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, de-bentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator:

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. Chief, Loan Administration Sec-1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12.—Only the authority for servicing, administration and collection,

including subitems a. and b.

E. Chief, Loan Liquidation Section. Item I.C. 12.—Only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. Chief, Loan Processing Section.
1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed

section 502 loans.

3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not

adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item I.A. (Size Determinations for section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

H. Chief, Procurement Assistance. Item I.A. (Size Determinations on PA activities only.)

(Eligibility Determina-2. Item I.B. tions on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not avail-able from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this

Administration.

K. The following authority is hereby redelegated to the Branch Managers at Augusta, Maine; and Providence, Rhode Island:

1. To approve the following:

a. Direct loans not exceeding \$50,000.

b. Participation loans not exceeding \$150,000.

c. Simplified Bank Participation loans not exceeding \$250,000.

d. Simplified Early Maturities Participation Loans not exceeding \$250,000. e. Direct disaster loans not exceeding

\$100.000. f. Participating disaster loans not exceeding \$150,000.

2. To decline as follows:

a. Business loans not exceeding \$200,000.

b. Disaster loans in any amount.

3. To disburse approved loans.

4. Items I.C. 6. through 11.

5. Item I.C. 12.—only the authority for servicing, administration and collection, including subitems a., b., and c.

6. Items I.G. 1. through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2. and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)

10. Item I.B. (Eligibility Determinations for Financial Assistance only.)

- L. The following authority is hereby redelegated to the Concord, New Hampshire. Branch Manager:
 - 1. Items I.K. 1. and 2.
 - 2. Items I.C. 6. through 11.
 - 3. Item J.K. 7.
 - 4. Items I.J. 2. and 3.
- 5. Item I.A. (Size Determinations for Financial Assistance only.)

6. Item I.B. (Eligibility Determinations for Financial Assistance only.)

7. To disburse unsecured disaster loans.

II. The authority delegated herein

cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

THOMAS J. NOONAN. Regional Director, Boston Regional Office.

[F.R. Doc. 64-8816; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-II]

NEW YORK REGIONAL AREA

Delegation of Authority To Conduct Program Activities .

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business Loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$250,-

b. Disaster Loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$150,-000.

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business loan and disaster loan participation agreements with

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator

(Name) (Title of person signing)

- 8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participation bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inven-

tory financing.

- 12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator:
- b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.
- c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.
- D. Chief, Loan Administration Section. 1. To. approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12.—only the authority for servicing, administration, and collection,

including subitems a. and b.

- E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral pur-chased, and subitems c. and b.
- F. Chief, Loan Processing
 1. Item I.C. 3. Section.
- 2. To decline business and disaster loans of any amount.

3. Items I.C. 6, through 10.

- 4. Item I.A. (Size Determinations for Financial Assistance only.)
- 5. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- 2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- 3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of affecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)
- 5. Item I.A. (Size Determinations for section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

- H. Chief, Procurement Assistance. Item I.A. (Size Determinations on PA activities only.)
- 2. Item I.B. (Eligibility Determinations on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

- J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not avail-able from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.
- 3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.
- K. The following authority is hereby redelegated to the Branch Managers at Hartford, Connecticut; and Puerto Rico:
 - 1. To approve the following:
- a. Direct loans not exceeding \$50,000.
- b. Participation loans not exceeding \$150,000.
- c. Simplified Bank Participation loans not exceeding \$250,000.
- d. Simplified Early Maturities Participation Loans not exceeding \$250,000.
- e. Direct disaster loans not exceeding \$100,000.
- f. Participating disaster loans not exceeding \$150,000.
 - 2. To decline as follows:
- a. Business loans not exceeding \$200,-000.
 - b. Disaster loans in any amount.
 - 3. To disburse approved loans.
 - 4. Items I.C. 6. through 11.

5. Item I.C. 12.—only the authority for servicing, administration and collection, including subitems a., b., and c.

6. Items I.G. 1. through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes: (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (e) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2. and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)

10. Item I.B. (Eligibility Determinations for Financial Assistance only.)

- L. The following authority is hereby redelegated to the Syracuse, New York Branch Office: 1. Items I.K. 1. and 2.

 - 2. Items I.C. 6. through 11.
 - 3. Item K.7.
 - 4. Items I.J. 2. and 3.
- 5. Item I.A. (Size Determinations for Financial Assistance only.)
- 6. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- 7. To disburse unsecured disaster loans.
- II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

CHARLES H. KRIGER. Regional Director. New York, New York.

[F.R. Doc. 64-8817; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-IV]

RICHMOND REGIONAL AREA

Delegation of Authority To Conduct **Program Activities**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve

questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligiblity determinations gated to positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration Standards and pol-

C. Chief Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business Loans-

(1) Direct not exceeding \$100,000.

- exceeding (2) Participation not \$250,000.
 - b. Disaster Loans—

(1) Direct not exceeding \$100,000.

- (2) Participation not exceeding \$150,-000.
- 4. To decline business and disaster loans of any amount.
- 5. To disburse unsecured disaster loans.
- 6. To enter into business loan and disaster loan participation agreements with
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator Ву_____ (Name) (Title of person signing)

To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed

portions of loans.

- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents: and certify to the participating bank that such documents are in compliance with the participation authoriza-
- 11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.
- 12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- assignment, endorsement, a. The transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications there-

for, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, re-leases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the

loan guaranty plan.

D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12 .- only the authority for servicing, administration, and col-lection, including subitems a and b.

E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchased, and subitems a and b.
F. Chief, Loan Processing Section.

1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed

section 502 loans.

3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item I.A. (Size Determinations for

section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)

2. Item I.B. (Eligibility Determina-tions on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan offices, to (a) ob-

ligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration: (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this

Administration.

K. The following authority is hereby redelegated to the Branch Managers at Baltimore, Maryland, Charlotte, North Carolina, Clarksburg, West Viriginia, Columbia, South Carolina, and Washington, D.C.

1. To approve the following:

- a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding
- \$150,000. c. Simplified Bank Participation loans
- not exceeding \$250,000. d. Simplified Early Maturities Participation loans not exceeding \$250,000.
- e. Direct disaster loans not exceeding \$100,000.
- f. Participating disaster loans not exceeding \$150,000.

2. To decline as follows:

- a. Business loans not exceeding \$200 --000.
 - b. Disaster loans in any amount.
 - To disburse approved loans.

4. Items I.C. 6. through 11.

5. Item I.C. 12. —only the authority for servicing, administration, and collection, including subitems a, b, and c.

6. Items I.G. 1. through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance: and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2 and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)

10. Item I.B. (Eligibility Determinations for Financial Assistance only.)

11. Item I.C. 12. —only the authority for servicing, administration, and collection, including subitems a and b, but not c, is hereby delegated to the Chief, Financial Assistance Section of each of the above branch offices.

12. Special for Washington Branch Manager (For loans under 6 x 6 program only). a. Item I.C. 12. a, b, and c.

L. The following authority is hereby redelegated to the Branch Manager at Charleston, West Virginia:

- 1. Items I.K. 1. and 2. 2. Items I.C. 6. through 11.
- 3. Item I.K. 7.
- 4. Items I.J. 2. and 3.

- 5. Item I.A. (Size Determinations for Financial Assistance only.)
- 6. Item I.B. (Eligibility Determinations for Financial Assistance only.)

7. To disburse unsecured disaster loans

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

CLARENCE P. MOORE. Regional Director, Richmond.

[F.R. Doc. 64-8818; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-V]

ATLANTA REGIONAL AREA

Delegation of Authority To-Conduct **Program Activities**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certifiates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business Loans-

(1) Direct not exceeding \$100,000.

(2) Participation notexceeding \$250,000.

b. Disaster Loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$150,000.

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

- 6. To enter into business loan and disaster loan participation agreements with
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator By _____(Name) (Title of person signing)

- 8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations of undisbursed portions of loans.
- To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance, of all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the fore-

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrators;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a and b.

E. Chief, Loan Liquidation Section. Item I.C. 12 .- only the authority for liquidation, including collateral purchased, and subitems a and b.

F. Chief, Loan Processing Section. 1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6 through 10.

4. Item I.A. (Size Determination for Financial Assistance only.)

5. Item I.B. (Eligibility Determations for Financial Assistance only.) (Eligibility Determi-

G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed

section 502 loans.

3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item I.A. (Size Determinations for

section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)

2. Item I.B. (Eligibility Determinations on PA activities only.)

I. Regional Counsel and Branch Coun-

sel. To disburse approved loans.
J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Birmingham, Alabama; Jackson, Mississippi; Nashville, Tennessee; Jacksonville and Miami, Florida:

1. To approve the following:

a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding \$150,000.

c. Simplified Bank Participation loans not exceeding \$250,000.

d. Simplified Early Maturities Participation loans not exceeding \$250,000.

e. Direct disaster loans not exceeding \$100,000.

f. Participating disaster loans not exceeding \$150,000.

- 2. To decline as follows:
- a. Business loans not exceeding \$200,-000.
 - b. Disaster loans in any amount.
 - 3. To disburse approved loans.
 - 4. Items I.C. 6. through 11.
- 5. Item I.C. 12 .- only the authority for servicing, administration, and collection, including subitems a, b, and c.
 - 6. Item I.G. 1. through 4.
- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) procure printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2. and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)
- 10. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- 11. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a and b, but not c, is hereby delegated to the Chief, Financial Assistance Section and Chief. Loan Administration Unit of each of the above branch offices.
- II. The authority delegated herein cannot be redelegated.
- III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.
- IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudiced to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

JAMES F. HOLLINGSWORTH, Regional Director, Atlanta.

[F.R. Doc. 64-8819; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-VI]

CLEVELAND REGIONAL AREA

Delegation of Authority To Conduct Program Activities

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:
- A. Size determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which

involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business certificates.

- B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.
- C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Financial -Assistance only.)
- 2. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- 3. To approve the following:
- a. Business Loans-
- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$250,-
- b. Disaster Loans-
- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$150,-
- 4. To decline business and disaster loans of any amount.
- 5. To disburse unsecured disaster loans.
- 6. To enter into business loan and disaster loan participation agreements with
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator

Ву (Name) (Title of person signing)

- 8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
- 11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.
- 12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claim, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications there-

for, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator:

- b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.
- c. The approval of bank applications for use of the liquidity privilege under the loan guaranty plan.
- D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.
- 2. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a. and b.
- E. Chief, Loan Liquidation Section. Item I.C. 12 .- only the authority for liquidation, including collateral purchased, and subitems a. and b.
- F. Chief, Loan Processing Section. 1. Item I.C. 3.
- 2. To decline business and disaster loans of any amount.
 - 3. Items I.C. 6. through 10.
- 4. Item I.A. (Size Determinations for Financial Assistance only.)
- 5. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- 2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- 3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely effect the credit aspects of the loan. (Section 502 loans only.)
- . 5. Item I.A. (Size Determinations for section 502 loans only.)
- 6. Item I.B. (Eligibility Determinations for section 502 loans only.)
- H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)
- 2. Item I.B. (Eligibility Determinations on PA activities only.)
- I. Regional Counsel and Branch Coun-To disburse approved loans.
- J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance: (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan Offices, to (a) ob-

ligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Columbus, Ohio; and Louisville, Kentucky:

bucky:

1. To approve the following:

- a. Direct loans not exceeding \$50,000.
- b. Participation loans not exceeding \$150,000.
- c. Simplified Bank Participation loans not exceeding \$250,000.
- d. Simplified Early Maturities Participation Loans not exceeding \$250,000.
- e. Direct disaster loans not exceeding \$100,000.
- f. Participating disaster loans not exceeding \$150,000.
 - 2. To decline as follows:
- a. Business loans not exceeding \$200,000.
- b. Disaster loans in any amount.
- 3. To disburse approved loans.
- 4. Items I.C. 6. through 11.
- 5. Item I.C. 12.—only the authority for servicing, administration and collection, including subitems a., b. and c.
 - 6. Item I.G. 1. through 4.
- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2. and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)
- 10. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- II. The authority delegated herein cannot be redelegated.
- III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.
- IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

James G. Garwick, Regional Director, Cleveland Regional Office.

[F.R. Doc. 64-8820; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-VII]

CHICAGO REGIONAL AREA

Delegation of Authority To Conduct Program Activities

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:
- A. Size Determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.
- B. Eligibility Determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.
- C. Chief, Financial Assistance Division (and Assistant Chief, if assigned).

 1. Item I.A. (Size Determinations for Financial Assistance only.)
- 2. Item I.B. (Size Determinations for Financial Assistance only.)
 - 3. To approve the following:
 - a. Business Loans-
 - (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$250,000.
 - b. Disaster Loans—
- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$150,000.
- 4. To decline business and disaster loans of any amount.
- 5. To disburse unsecured disaster loans.
- 6. To enter into business loan and disaster loan participation agreements with banks.
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By ______(Name)
(Title of person signing)

- 8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.
- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
- 11. To approve service charges by participating bank not to exceed two percent per annum on the outstanding balance on construction loans and loans

involving accounts receivable and inventory financing.

- ventory financing.

 12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, changes on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator:
- b. The execution and delivery of contracts of sales or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

fectuate the foregoing.

C. The approval of bank applications for use of liquidity privilege under the

loan guaranty plan.

D. Chief, Loan Administration Section.

1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

Item I.C. 12.—only the authority for servicing, administration, and collection,

including subitems a and b.

E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchased, and subitems a and b.

- F. Chief, Loan Processing Section. 1. Item I.C. 3.
- 2. To decline business and disaster loans of any amount.
 - 3. Items I.C. 6. through 10.
- 4. Item I.A. (Size Determinations for Financial Assistance only.)
- 5. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- 2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- 3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)
- 5. Item I.A. (Size Determinations for section 502 loans only.)
- 6. Item I.B. (Eligibility Determinations for section 502 loans only.)

H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)

(Eligibility Determina-2. Item LB. tions on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

- J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage or such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Des Moints, Iowa; Indianapolis, Indiana; and Madison, Wisconsin:

1. To approve the following:

a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding \$150,000.

c. Simplified Bank Participation loans not exceeding \$250,000.

2. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a and b.

E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchased, and subitems a and b.

F. Chief, Loan Processing Section. 1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

- G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- 2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- 3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)
- 5. Item I.A. (Size Determinations for section 502 loans only.)
- 6. Item I.B. (Eligibility Determinations for section 502 loans only.)

- d. Simplified Early Maturities Participation loans not exceeding \$250,000.
- e. Direct disaster loans not exceeding \$100,000.
- f. Participation disaster loans not exceeding \$150,000.
 - 2. To decline as follows:
- a. Business loans not exceeding \$200,000.
 - b. Disaster loans in any amount.
 - 3. To disburse approved loans.
- 4. Items I.C. 6. through 11. 5. Item I.C. 12.—only the authority for servicing, administration and collection, including subitems a, b, and c.

6. Item I.C. 1. through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes: (b) make purchases not in excess of \$10 in any one instance for "one-time use item" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
- 8. Items I.J. 2. and 3.

9. Item I.A. (Size Determinations for Financial Assistance only.)

10. Item I.B. (Eligibility Determinations for Financial Assistance only.)

II. The authority delegated herein

cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

RICHARD E. LASSAR. Regional Director. Chicago Regional Office.

[F.R. Doc. 64-8821; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-VIII]

MINNEAPOLIS REGIONAL AREA **Delegation of Authority To Conduct Program Activities**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions indicated below). - To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended. but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving fran-

chise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Fi-

nancial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business Loans-

- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$250,-000.

b. Disaster Loans-

- (1) Direct not exceeding \$100,000.
- (2) Participation not exceeding \$150,000.
- 4. To decline business and disaster loans of any amount.
- 5. To disburse unsecured disaster loans.
- 6. To enter into business-loan and disaster loan participation agreements with
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By (Name)
(Title of person signing)

8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loans authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents: and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust. contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to

property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease, or sublease. quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the

loan guaranty plan.

D. Chief, Loan Administration Sec-1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12—only the authority for servicing, administration, and collection,

including subitems a. and b.

E. Chief, Loan Liquidation Section. Item I.C. 12—only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. Chief, Loan Processing Section. 1. Item I.C. 3)

2. To decline business and disaster loans of any amount.

3. Items I.C. 6 through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.

- 3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirement of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item I.A. (Size Determinations for section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

- H. Chief, Procurement Assistance.
 1. Item I.A. (Size Determinations on PA activities only.)
- 2. Item I.B. (Eligibility Determinations on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

- J. Administrative Officer. 1. To (1) purchase all office supplies and expendable equipment, including all deck-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Admin-

istration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; and (d) procure (without dollar emergency supplies and limitation) materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Fargo, North Dakota; and Sioux Falls, South Dakota:

1. To approve the following:

a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding

\$150,000. c. Simplified Bank Participation loans

not exceeding \$250,000. d. Simplified Early Maturities Partic-

ipation Loans not exceeding \$250,000. e. Direct disaster loans not exceeding

\$100,000.

f. Participating disaster loans not exceeding \$150,000.

2. To decline as follows:

- a. Business loans not exceeding \$200,000.
 - b. Disaster loans in any amount.

3. To disburse approved loans.

4. Items I.C. 6 through 11.

5. Item I.C. 12—only the authority for servicing, administration and collection, including subitems a, b, and c.

6. Item I.G. 1 through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchase in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph: (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
- 8. Items I.J. 2 and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)

10. Item I.B. (Eligibility Determinations for Financial Assistance only.)

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

HARRY A. SIEBEN. Regional Director. Minneapolis Regional Office.

[F.R. Doc. 64-8822; Filed, Aug. 31, 1964; 8:45 a.m.]

[Delegation of Authority No. 30-IX]

KANSAS CITY REGIONAL AREA

Delegation of Authority To Conduct **Program Activities**

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is redelegated to the specific positions as indicated herein:
- A. Size determinations (Delegated to positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations (including section 502 loans) for Financial Assistance only.)

2. Item I.B. (Eligibility (including section 502 loans) Determinations for Financial Assistance only.)

3. To approve the following:

a. Business loans-

(1) Direct not exceeding \$100,000.

exceeding (2) Participation not \$250,000.

b. Disaster Loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$150,000.

4. To decline business and disaster loans of any amount.

5 To disburse unsecured disaster loans. 6. To enter into business loan and disaster loan participation agreements

with banks. 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

> (Name), Administrator (Name) (Title of person signing)

8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents: and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the,

loan guaranty plan.

- 13. a. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- b. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- c. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

d. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that

have been fully disbursed. 2. Item I.C. 12.—only the authority for servicing, administration, and collection,

including subitems a and b. E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchases, and subitems a and b.

F. Chief, Loan Processing Section. 1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.

- 4. Item I.A. (Size Determinations for Financial Assistance only.)
- 5. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- G. Chief, Investment Division. Reserved.

H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)

(Eligibility Determina-2. Item I.B. tions on PA activities only.)

I. Regional Counsel and Branch Coun-To disburse approved loans. sel.

- J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Omaha, Nebraska; St. Louis, Missouri; and Wichita, Kansas:

1. To approve the following:

a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding

\$150,000.

c. Simplified Bank Participation loans not exceeding \$250,000

d. Simplified Early Maturities Participation loans not exceeding \$250,000. e. Direct disaster loans not exceeding

\$100,000. f. Participating Disaster loans not exceeding \$150,000.

2. To decline as follows:

a. Business loans not exceeding \$200,000.

b. Disaster loans in any amount.

To disburse approved loans.

4. Items I.C. 6. through 11.

5. Items I.C. 12.—only the authority for servicing, administration and collection, including subitems a, b, and c.

6. Reserved

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any 1 month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2. and 3.
- 9. Item I.A. Size Determinations for Financial Assistance only.)

10. Item I.B. (Eligibility Determinations for Financial Assistance only.)

11. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a. and b., but not c., is hereby delegated to the Chief. Financial Assistance Section in each of the above branch offices.

II. The authority delegated herein

cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

C. I. MOYER, Regional Director, Kansas City.

[F.R. Doc. 64-8823; Filed, Aug. 31, 1964; 8:46 a.m.]

[Delegation of Authority No. 30-XI]

DENVER REGIONAL AREA

Delegation of Authority To Conduct **Program Activities**

I. Pursuant to the authority delegated the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Busi-Administration standards ness policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business Loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$250,000.

b. Disaster Loans-

(1) Direct not exceeding \$100,000.

exceeding (2) Participation not \$150,000.

4. To decline business and disaster loans of any amount. ~

- 5. To disburse unsecured disaster loans.
- 6. To enter into business loan and disaster loan participation agreements with banks.
- 7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By (Name)
(Title of person signing)

- 8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations of undisbursed portions of loans.
- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
- 11. To approve service charges by participating bank not to exceed two percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.
- 12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.
- b. The execution and delivery of contracts of sale or of lease or sublease. quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.
- c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.
- D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.
- 2. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a and b.
- E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchased, and subitems a and b.
- F. Chief, Loan Processing Section.
 1. Item I.C. 3.

- 2. To decline business and disaster loans of any amount.
 - 3. Items I.C. 6. through 10.
- 4. Item I.A. (Size Determinations for Financial Assistance only.)
- 5. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- 2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- 3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)
- 5. Item I.A. (Size Determinations for section 502 loans only.)
- 6. Item I.B. (Eligibility Determinations for section 502 loans only.)
- H. Chief, Procurement Assistance. Item I.A. (Size Determinations on PA activities only.)
- 2. Item I.B. (Eligibility Determinations on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

- J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment: (c) rent motor vehicles commercially when not available from General Services Administration; (4) procure (without dollar limitation) emergency supplies and materials.
- 3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.
- K. The following authority is hereby redelegated to the Branch Managers at Albuquerque, New Mexico; and Salt Lake City, Utah:
- 1. To approve the following:
- a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding
- c. Simplified Bank Participation loans
- not exceeding \$250,000. d. Simplified Early Maturities Partici-
- pation loans not exceeding \$250,000. e. Direct disaster loans not exceeding
- \$100,000. f. Participating disaster loans not exceeding \$150.000.
- 2. To decline as follows:
- a. Business loans not exceeding \$200,000.
 - b. Disaster loans in any amount.
 - 3. To disburse approved loans.

- 4. Items I.C. 6. through 11.
- 5. Item I.C. 12.—only the authority for servicing, administration and collection. including subitems a, b, and c.
 - 6. Item I.G. 1, through 4.
- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes: (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph: (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
- 8. Items I.J. 2 and 3. 9. Item I.A. (Size Determinations for Financial Assistance only.)
- 10. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- II. The authority delegated herein cannot be redelegated.
- III. The authority delegated herein to specific position may be exercised by any SBA employee designated as Acting in that position.
- IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

GEORGE E. SAUNDERS. Regional Director, Denver Regional Office.

[F.R. Doc. 64-8824; Filed, Aug. 31, 1964; 8:46 a.m.j

[Delegation of Authority No. 30-XII]

LOS ANGELES REGIONAL AREA **Delegation of Authority To Conduct Program Activities**

- I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:
- A. Size determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsiderations thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contractual agreements, unless otherwise authorized. The authorization does not permit the issuance of Small Business Certificates.
- B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with the

Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business Loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$250,-000.

b. Disaster Loans

(1) Direct not exceeding \$100,000.

- (2) Participation not exceeding \$150,-000.
- 4. To decline business and disaster loans of any amount.
- 5. To disburse unsecured disaster loans.
- 6. To enter into business loan and disaster loan participation agreements with banks.
- 7. To execute Ioan authorizations for Washington approved loans and for Ioans approved under delegated authority, said execution to read as follows:

- 8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.
- 9. To extend the disbursement period on all loan authorizations or undisbursed. portions of loans.
- 10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.
- 11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.
- 12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.
- b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens.

satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may appropriate and necessary effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the

loan guaranty plan.

D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12.—only the authority for servicing, administration, and collection,

including subitems a. and b.

E. Chief, Loan Liquidation Section. Item I.C. 12 .- only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. Chief, Loan Processing
1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

- G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.
- 2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.
- 3. To do and perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.
- 4. To substitute, add, or change the collateral requirements of any loan authorization where such changes will not adversely affect the credit aspects of the loan. (Section 502 loans ONLY.)
- 5. Item I.A. (Size Determinations for section 502 loans ONLY.)
- 6. Item I.B. (Eligibility Determinations for section 502 loans ONLY.)
- H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)
- 2. Item I.B. (Eligibility Determinations on PA activities only.)
- I. Regional Counsel and Counsel. To disburse approved loans.
 J. Administrative Officer. 1. To (a)
- purchase all office supplies and expendable equipment including all desk-top items and rent regular office equipment: (b) contract for repairs and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and moving SBA exhibits.
- 2. In connection with the establishment of Disaster Loan offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment: (c) rent motor vehicles commercially when not available from General Services Administrations; (d) procure (without dollar limitation) emergency supplies and materials.
- 3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Phoneix, Arizona, Honolulu, Hawaii and San Francisco, California:

1. To approve the following:

- a. Direct loans not exceeding \$50,000. b. Participation loans not exceeding \$150,000.
- c. Simplified Bank Participation loans
- not exceeding \$250,000.
 d. Simplified Early Maturities Participation loans not exceeding \$250,000.
- e. Direct disaster loans not exceeding \$100,000.
- f. Participating disaster loans not exceeding \$150,000.
 - 2. To decline as follows:
- a. Business Ioans not exceeding \$200,-

b. Disaster loans in any amount.

- 3. To the Branch Managers at Honolulu, Hawaii, and San Francisco, California: To disburse approved loans; to the Branch Manager at Phoenix. Arizona: To disburse unsecured disaster loans only.
 - 4. Items I.C. 6. through 11.
- 5. Item I.C. 12.—only the authority for servicing, administration and collection, including subitems a., b., and c. (Except Phoenix may not exercise subitem c.)

6. Items I.G. 1. through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes: (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (e) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) to purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items L.J. 2. and 3.
- 9. Items I.A. (Size Determinations for Financial Assistance only.)
- 10. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- 11. Items I.K. 1., 2., 3., 4., 5., 9., and 10. may be redelegated to the Chief, Financial Assistance Section in the San Franciscò Branch Office.
- 12. Items I.K. 7, and 8, may be redelegated to the Branch Administrative Assistant in the San Francisco Branch Office.
- L. The following authority is hereby redelegated to the Specialist in Charge of Post of Duty Station Guam:
- 1. To approve and decline disaster Ioans in an amount not exceeding \$50,-000.
- 2. To execute the Ioan authorizations for Washington and Regional Office approved loans and for Disaster loans approved under delegated authority, said execution to read as follows:

(Name) Administrator (Specialist in Charge, Post

- 3. To cancel, reinstate, modify, and amend authorization for disaster loans approved under delegated authority.
 - To disburse unsecured loans.
- 5. To extend the disbursement period on all disaster loan authorizations or undisbursed portions of disaster loans.
- 6. To take all necessary actions in connection with the administration, servicing, and collection of all loans and other obligations and assets; and to do and perform and to assent to the doing and performance of all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:
- a. The assignment, endorsement. transfer and delivery (but in all cases without representation, recourse and warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, patents and applications contracts, therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.
- b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, re-leases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.
- 7. To (a) make emergency purchase chargeable to the Administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes: (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; and (c) to contract for the repair and maintenace of equipment and furnishings in an amount not to exceed \$25 in any one instance.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

ALVIN P. MEYERS. Regional Director Los Angeles Regional Office.

[F.R. Doc. 64-8825; Filed, Aug. 31 1964; 8:46 a.m.]

[Delegation of Authority No. 30-XIII]

SEATTLE REGIONAL AREA

Delegation of Authority To Conduct **Program Activities**

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration Standards and policies

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned). 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following:

a. Business loans-

(1) Direct not exceeding \$100,000.

(2) Participation not exceeding \$250,-000.

b. Disaster Loans—

Direct not exceeding \$100,000. (2) Participation not exceeding \$150,-വവ

4. To decline business and disaster loans of any amount.

To disburse unsecured disaster

6. To enter into business loan and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

> (Name), Administrator By _____(Name) (Title of person signing)

8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed two percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the fore-

a. The assignment. endorsement. transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator:

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy, or other estate and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the

loan guaranty plan.

D. Chief, Loan Administration Section.1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a and b.

E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchased, and subitems a and b.

F. Chief, Loan Processing Section.
1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.4. Item I.A. (Size Determinations for Financial Assitance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed section 502 loans.

3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item I.A. (Size Determinations for section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)

2. Item I.B. (Eligibility Determinations on PA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling and moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Portland, Oregon; Anchorage, Alaska; Boise, Idaho; Helena, Montana; and Spokane, Washington:

1. To approve the following:

a. Direct loans not exceeding \$50,000.

b. Participation loans not exceeding \$150,000.

c. Simplified Bank Participation loans not exceeding \$250,000.

d. Simplified Early Maturities Participation loans not exceeding \$250,000.

e. Direct disaster loans not exceeding \$100,000.

f. Participating disaster loans not exceeding \$150,000.

2. To decline as follows:

- a. Business loans not exceeding \$200,-000.
 - b. Disaster loans in any amount.
- To disburse approved loans—except—Spokane Branch may disburse only unsecure disaster loans.

4. Items I.C. 6 through 11.

5. I.C. 12—only the authority for servicing, administration, and collection, including subitems a, b, and c—except—Spokane may not exercise subitem c.

6. Items I.G. 1. through 4.

- 7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use-items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance; and (d) purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.
 - 8. Items I.J. 2. and 3.
- 9. Item I.A. (Size Determinations for Financial Assistance only.)
- 10. Item I.B. (Eligibility Determinations for Financial Assistance only.)
- 11. Item I.C. 12.—only the authority loans for servicing, administration, and collection, including subitems a and b, but loans.

not c, is hereby delegated to the Chief, Financial Assistance Section, in the Portland Branch office.

II. The 'authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this Region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof. Except—This does not rescind delegations to disaster field offices at Anchorage, Alaska (29 F.R. 5522); Kalispell, Montana (29 F.R. 8504); and Great Falls, Montana (29 F.R. 8505):

Effective date: September 1, 1964.

William S. Schumacher, Regional Director, Seattle.

[F.R. Doc. 64-8826; Filed, Aug. 31, 1964; 8:46 a.m.]

[Delegation of Authority No. 30-XV]

DETROIT REGIONAL AREA

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations (Delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license, or other contracagreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. Eligibility determinations (Delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division (and Assistant Chief, if assigned).

1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3: To approve the following:

a. Business Loans-

1. Direct not exceeding \$100,000.

2. Participation not exceeding \$250,000.

b. Disaster Loans-

1. Direct not exceeding \$100,000.

2. Participation not exceeding \$150,000.

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business loan and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator By _____(Name)

(Title of person signing)

8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory

financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on, and interest in, or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. Chief, Loan Administration Section. 1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12.—only the authority for servicing, administration, and collection, including subitems a. and b.

E. Chief, Loan Liquidation Section. Item I.C. 12.—only the authority for liquidation, including collateral purchased, and subitems a. and b.

F. Chief, Loan Processing Section. 1. Item I.C. 3.

2. To decline business and disaster loans of any amount.

3. Items I.C. 6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

G. Chief, Investment Division. 1. To extend the disbursement period of section 502 loan authorizations or undisbursed portions of section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed

section 502 loans.

3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of section 502 loans.

4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item I.A. (Size Determinations for

section 502 loans only.)

6. Item I.B. (Eligibility Determinations for section 502 loans only.)

H. Chief, Procurement Assistance. 1. Item I.A. (Size Determinations on PA activities only.)

2. Item I.B. (Eligibility Determinations on PA activities only.)

I. Regional Counsel and Branch Coun-

sel. To disburse approved loans.

J. Administrative Officer. 1. To (a) purchase all office supplies and expendable equipment, including all desk-top items and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings in an amount not to exceed \$50 in any one

nance of equipment and furnishings in an amount not to exceed \$50 in any one instance; (c) contract for services required in setting up and dismantling, and

moving SBA exhibits.

2. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent roffice equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this

Administration.

II. The authority delegated herein

cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: September 1, 1964.

ROBERT F. PHILLIPS, Regional Director, Detroit Regional Office.

[F.R. Doc. 64-8827; Filed, Aug. 31, 1964; 8:46 a.m.]

TARIFF COMMISSION

[TEA-I-9]

ICE SKATES AND PARTS THEREOF Notice of Investigation and Hearing

Investigation instituted. Following receipt on August 21, 1964, of a petition on behalf of Roller Derby Skate Corp. of Litchfield, Ill., and Nestor Johnson Manufacturing Co. of Chicago, Ill., the U.S. Tariff Commission, on the 26th day of August 1964, instituted an investigation under section 301(b)(1) of the Trade Expansion Act of 1962 to determine whether ice skates (including footwear with skates permanently attached), and parts thereof, provided for in item 734.92 of the Tariff Schedules of the United States are, as a result in major part of concessions granted thereon under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to the domestic industry or industries producing like or directly competitive products.

Public hearing ordered. A public hearing in connection with this investigation will be held beginning at 10 a.m., e.s.t., on December 9, 1964, in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. Appearances at the hearing should be entered in accordance with § 201.13 of the Tariff Commission's rules of practice

and procedure.

Inspection of petition. The petition filed in this case is available for inspection by persons concerned at the office of the Secretary, United States Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: August 26, 1964.

By order of the Commission.

[SEAL]

Donn N. Bent, Secretary.

[F.R. Doc. 64-8851; Filed, Aug. 31, 1964; 8:47 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary
[Administrative Order No. 583]

INDUSTRY COMMITTEES FOR VAR-IOUS INDUSTRIES IN PUERTO RICO

Appointment To Investigate Conditions and Recommend Minimum Wages; Notice of Hearings

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part-511, I hereby appoint Industry Committee No. 66-A for the textile, hosiery, and textile products industry in Puerto Rico; and Industry Committee No. 66-B for the straw, hair, and related products industry in Puerto Rico.

The textile, hosiery, and textile products industry in Puerto Rico is defined as the preparation of textile fibers, including the ginning and compressing of cotton; the manufacture of batting, wadding, and filling; the manufacture. including dyeing and finishing of yarn, thread, cordage, twine, felt, woven and knitted fabrics, and lace-machine products from cotton, jute, sisal, coir, maguey, silk, rayon, nylon, wool or other vegetable, animal, or synthetic fiber, or from mixtures of these fibers; and the manufacture of blankets, textile bags, mattresses, quilts, pillows, hairnets, oil-cloth and artificial leather containing a textile or paper base, woven carpets and rugs, and hooked or punched rugs and carpeting; the manufacture and processing of full-fashioned and seamless hosiery, including, among other processes, the knitting, seaming, looping, dyeing, clocking, and all phases of finishing hosiery: Provided, however, That the industry shall not include the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber and the industry shall not include the activities described in 29 CFR 699.2(a)(1). The straw, hair, and related products industry is defined in 29 CFR 613.1.

Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene each of the above-appointed industry committee;

(b) Refer to each of these industry committees the following: (1) The question of the minimum rate or rates of wages to be fixed for the industry with which it is concerned for employees who are engaged in commerce or in the production of goods for commerce, and (2) the question of the minimum rate or rates of wages to be fixed for any employees covered by the Act by reason of the Fair Labor Standards Amendments of 1961;

(c) Give notice of the hearing to be held by each of them at the times and places indicated below. Each industry committee shall investigate conditions in its industry, and each industry committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act.

Industry Committee No. 66-A shall meet in executive session to commence its investigation at 10:00 a.m. on October 13, 1964, in the office of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, seventh floor, Condominio San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, P.R., and shall commence its hearing at 1:30 p.m. on the same date at the same place. Following this hearing Industry Committee No. 66-B shall meet at the same place at hours designated by the committee chairman to conduct its investigation and to hold its hearing.

12502 NOTICES

Each industry committee shall recommend to the Administrator of the Wage and Hour and Public Contracts Divisions of this Department the highest minimum wage rates (in the case of question (1) referred to the committee, not exceeding the minimum wage rate of \$1.25 per hour, and in the case of question (2) referred to the committee, not exceeding the minimum wage rate of \$1.15 per hour for immediate effect and \$1.25 per hour for effect on and after September 3, 1965, and in no case less than the currently effective rate) which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands and American Samoa.

Whenever any industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities or in the manufacture of certain products of an industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications, and in determining the minimum wage rates for such classifications, each industry committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the in-

The Administrator shall prepare economic reports for the industry committees containing such data as he is able to assemble pertinent to the matters referred to them. Copies of each such report may be obtained at the national and Puerto Rican offices of the United States Department of Labor as soon as they are completed and prior to the hearings. Each industry committee shall take official notice of the facts stated in the economic reports to the extent that they are not refuted at the hearings.

The procedure of industry committees shall be governed by 29 CFR Part 511. As a prerequisite to participation in the hearings, interested persons shall file prehearing statements containing the data specified in 29 CFR 511.8 not later than October 3, 1964.

Signed at Washington, D.C., this 26th than October 3, 1964.

W. WILLARD WIRTZ, Secretary of Labor.

[F.R. Doc. 64-8866; Filed, Aug. 31, 1964; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 27, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39219: Commodity rates—Sea-Land Service, Inc. Filed by Sea-Land Service, Inc. (No. 57), for itself and interested carriers. Rates on cement, concrete or masonry waterproofing compounds, dry, liquid, or paste, in trailer-loads, from Los Angeles, Calif., to Tampa, Fla., and Pittsburgh, Pa.

Grounds for relief: All rail competi-

Tariff: Supplement 46 to Sea-Land Service, Inc., tariff I.C.C. 15.

FSA No. 39220: Sulphuric Acid to Lavergne, Tenn. Filed by O.W. South, Jr., agent (No. A4556), for interested rail carriers. Rates on sulphuric acid, in tank carloads, from LeMoyne, Ala., to Lavergne, Tenn.

Grounds for relief: Market competi-

Tariff: Supplement 92 to Southern Freight Association, agent, tariff I.C.C. S-162.

FSA No. 39221: Petroleum products from Hough, Okla. Filed by Southwestern Freight Bureau, agent (No. B-8595), for interested rail carriers. Rates on liquefied petroleum gas and gasoline (natural), suitable only for mixing, blending, and/or refining purposes, in tank carloads, from Hough, Okla., to points in Illinois Freight Association, Southern, Southwestern, and western trunkline territories.

Grounds for relief: Market competi-

Tariffs: Supplement 117 to Southwestern Freight Bureau, agent, tariff I.C.C. 4410 and five other schedules named in the application.

FSA No. 39222: Iron or steel tubing to Louisville, Ky. Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2737), for interested rail carriers. Rates on iron or steel tubing, in carloads, from specified points in Maryland, Ohio, Pennsylvania, and West Virginia, to Louisville, Ky.

Grounds for relief: Market and water competition.

Tariffs: Supplement 23 to Baltimore and Ohio Railroad Co., tariff I.C.C. 24757 and supplement 441 to Traffic Executive

Association-Eastern Railroads, agent, tariff I.C.C. 3388.

FSA No. 39223: Barite from points in Montana. Filed by Trans-Continental Freight Bureau agent (No. 419), for interested rail carriers. Rates on barite (barytes), ground or not ground, not precipitated or refined by chemical process, in carloads, from Barite, Bearmouth, Bonner, Clinton, Drummond, Missoula, and Sunset, Mont., to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Grounds for relief: market competition, modified short-line distance formula and grouping.

Tariff: Supplement 23 to Trans-Continental Freight Bureau, agent, tariff I.C.C. 1701.

FSA No. 39224: Commodities between points in Texas. Filed by Texas-Louisiana Freight Bureau, agent (No. 512), for interested rail carriers. Rates on iron or steel articles, empty manganese ore shipping steel containers, etc., in carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Intrastate rates and maintenance of rates from and to points in other States not subject to the same conditions.

Tariff: Supplement 16 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C.

FSA No. 39226: Commodities between points in Texas. Filed by Texas-Louisiana Freight Bureau, agent (No. 514), for interested rail carriers. Rates on motor fuel antiknock compound, in tank carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Intrastate rates and maintenance of rates from and to points in other States not subject to the same conditions.

Tariff: Supplement 17 to Texas-Louisiana Freight Bureau, agent, tariff L.C.C. 998.

FSA No. 39228: Joint motor-rail rates—Southwestern territory. Filed by J. D. Hughett, agent (No. 59), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Southwestern territory.

Grounds for relief: Motortruck competition.

FSA No. 39229: Lime from Brazlime, Tex. Filed by Southwestern Freight Bureau, agent (No. B-8596), for interested rail carriers. Rates on lime, quick, common hydrated and common lime including magnesium lime, hydrated, quick or slaked, in carloads, from Brazlime, Tex., to points in Southern territory, including Ohio and Mississippi River crossings, also points in Louisiana (west of Mississippi River).

Grounds for relief: Market competi-

Tariff: Supplement 28 to Southwestern Freight Bureau, agent, tariff I.C.C. 4377.

AGGREGATE-OF-INTERMEDIATES

FSA No. 39225: Commodities between points in Texas. Filed by Texas-Louisiana Freight Bureau, agent (No. 513), for interested rail carriers. Rates on iron or steel articles, hides, pelts, or skins, etc., in carloads, from, to and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 16 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

FSA No. 39227: Commodities between points in Texas. Filed by Texas-Louisiana/Freight Bureau, agent (No. 515), for interested rail carriers. Rates on motor fuel antiknock compound, in tank carloads, from, to, and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 17 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 64-8852; Filed, Aug. 31, 1964; 8:47 a.m.]

ORGANIZATION MINUTES

Assignment of Duties to Individual Commissioners

AUGUST 21, 1964.

The Interstate Commerce Commission has amended its organization minutes, being assignment of work, business, and functions pursuant to section 17 of the Interstate Commerce Act, as amended, issue of March 7, 1961, revised to May 1, 1961 (26 F.R. 4773, 5167, 8434, 10991, and 12789; 27 F.R. 1234, 1747, 2500, 3830, and 9997; and 28 F.R. 198, 896 and 8185; 29 F.R. 3027, 4935, and 11401) as follows:

Under the heading Assignment of Duties to Individual Commissioners, assignments to the vice chairman of the Commission have been amended by revising Item 6.3(f) to read as follows:

(f) Requests for (1) access to waybills, or photostat copies, thereof, (2) access to statistics reported pursuant to orders of the Commission, and (3) public inspection of reports described in § 125.9 of the rules governing monthly reports of railroad accidents.

[SEAL] HAROLD D. MCCOY, Secretary,

[F.R. Doc. 64-8853; Filed, Aug. 31, 1964; 8:47 a.m.]

[Notice No. 1037]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 27, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 67024. By order of August 26, 1964, the Transfer Board approved the transfer to King Transfer Line, Inc., Front and Delaware Streets, Quincy, Ill., 62301, of Certificate in No. MC 76148, issued February 20, 1961, to Ralph M. King and Louis W. Sturhan, a partnership, doing business as King Transfer Line, Front and Delaware Streets, Quincy, Ill., 62301, authorizing the transportation of: Household goods, between Quincy, Ill., on the one hand, and, on the other, points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Tennessee, and Wisconsin, and, general commodities, with the usual exceptions including household goods and commodities in bulk, between points in Quincy, Ill.

No. MC-FC 67097. By order of August 25, 1964, the Transfer Board approved the transfer to Tryon Trucking, Inc., West Homestead, Pa., of Certificate No. MC 42148, issued July 6, 1959, to Thomas Boyd, Inc., West Homestead, Pa., authorizing the transportation of

commodities, the transportation of which, because of size or weight, requires the use of special equipment, and related machinery parts and equipment when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require special equipment, over irregular routes, between points in New Jersey, Maryland, and New York, and points in that part of Pennsylvania east of a line beginning at the Pennsylvania-New York State line near Millerton, Pa., and extending in a southerly direction through Williamsport, Pa., to the Pennsylvania-Maryland State line West Manheim, Pa. A. Charles Tell, 44 East Broad Street, Columbus 15, Ohio, attorney for applicants.

No. MC-FC 67108. By order of August 25, 1964, the Transfer Board approved the transfer to Richard Dahn, Inc., Sparta, N.J., of a portion of the operating rights issued by the Commission June 8, 1964, under Certificate No. MC 109423 to Bianchi Motor Transportation, Inc., Quincy, Mass., authorizing the transportation, over irregular routes of quarry products, artificial stone, quarry machinery, and machinery incidental to the manufacture, preparation for use, or erection of artificial or natural stone, between points in Massachusetts, Rhode Island, Connecticut, New York, and New Jersey. A. David Millner, 1060 Broad Street, Newark 2, N.J., attorney for transferor and Charles J. Williams, 1060 Broad Street, Newark 2, N.J., attorney

for transferee.

No. MC-FC 67147. By order of August 25, 1964, the Transfer Board approved the transfer to C & C Express, Incorporated, Upton, Mass., of the operating rights in Certificate No. MC 35387, issued July 12, 1963, to Frank A. Mac-

Kenzie, doing business as MacKenzie Transportation Co., Boylston, Mass., authorizing the transportation, over a regular route of: General commodities, excluding household goods, and commodities in bulk, and other specified commodities, between Boston and Framingham, Mass., serving all intermediate points, and the off-route point of Wayland, Mass., over Massachusetts Highway 9. Joseph A. Kline, 185 Devonshire Street, Boston, Mass., 02110, attorney for applicants.

HAROLD D. McCoy, Secretary.

[F.R. Doc. 64-8854; Filed, Aug. 31, 1964; 8:48 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: During the current recess of Congress a listing of public laws approved by the President will appear in the Federal Register under Title 2—The Congress.

Approved August 27, 1964

_____Public Law 88-492 S. 16____

To provide for the establishment of the Ozark National Scenic Riverways in the State of Missouri, etc.

S. 51_____Public Law 88-494

To authorize the Secretary of Agriculture to relinquish to the State of Wyoming jurisdiction over those lands within the Medicine Bow National Forest known as the Pole Mountain District.

S. 502_____Public Law 88-491

To preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam.

.____Public Law 88-493

To provide authority to protect heads of foreign states and other officials.

To authorize the Secretary of the Interior to condemn certain property in the city of St. Augustine, Fla., within the boundary of the Castillo de San Marcos National Monument. etc.

S.J. Res. 162_ ____Public Law 88-496

Extending recognition to the International Exposition for Southern California in the year 1968 and authorizing the President to issue a proclamation calling upon the several States of the Union and foreign countries to take part in the exposition.

H.R. 11083_____Public Law 88-497

Graduate Public Health Training Amendments of 1964.



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